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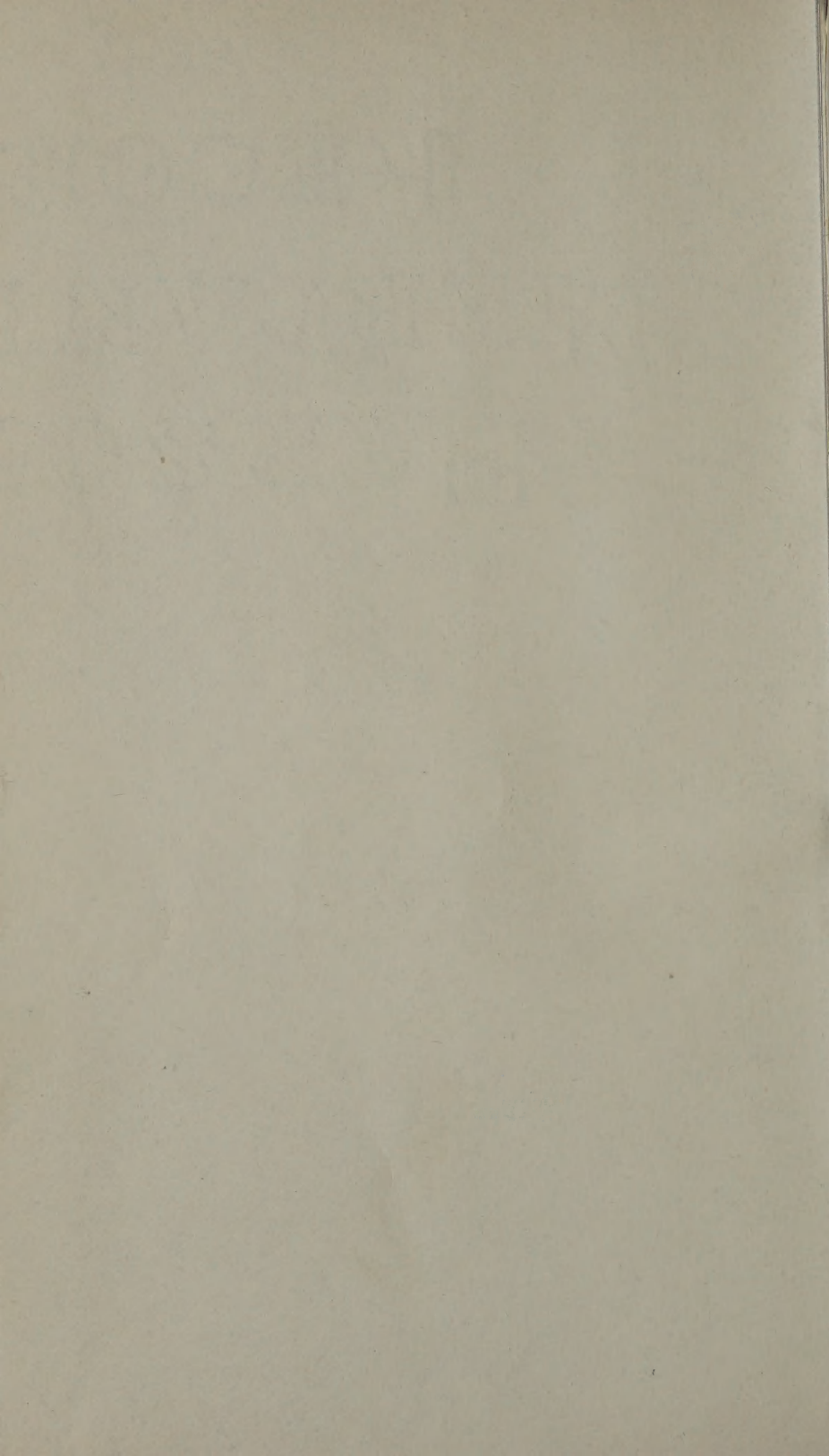
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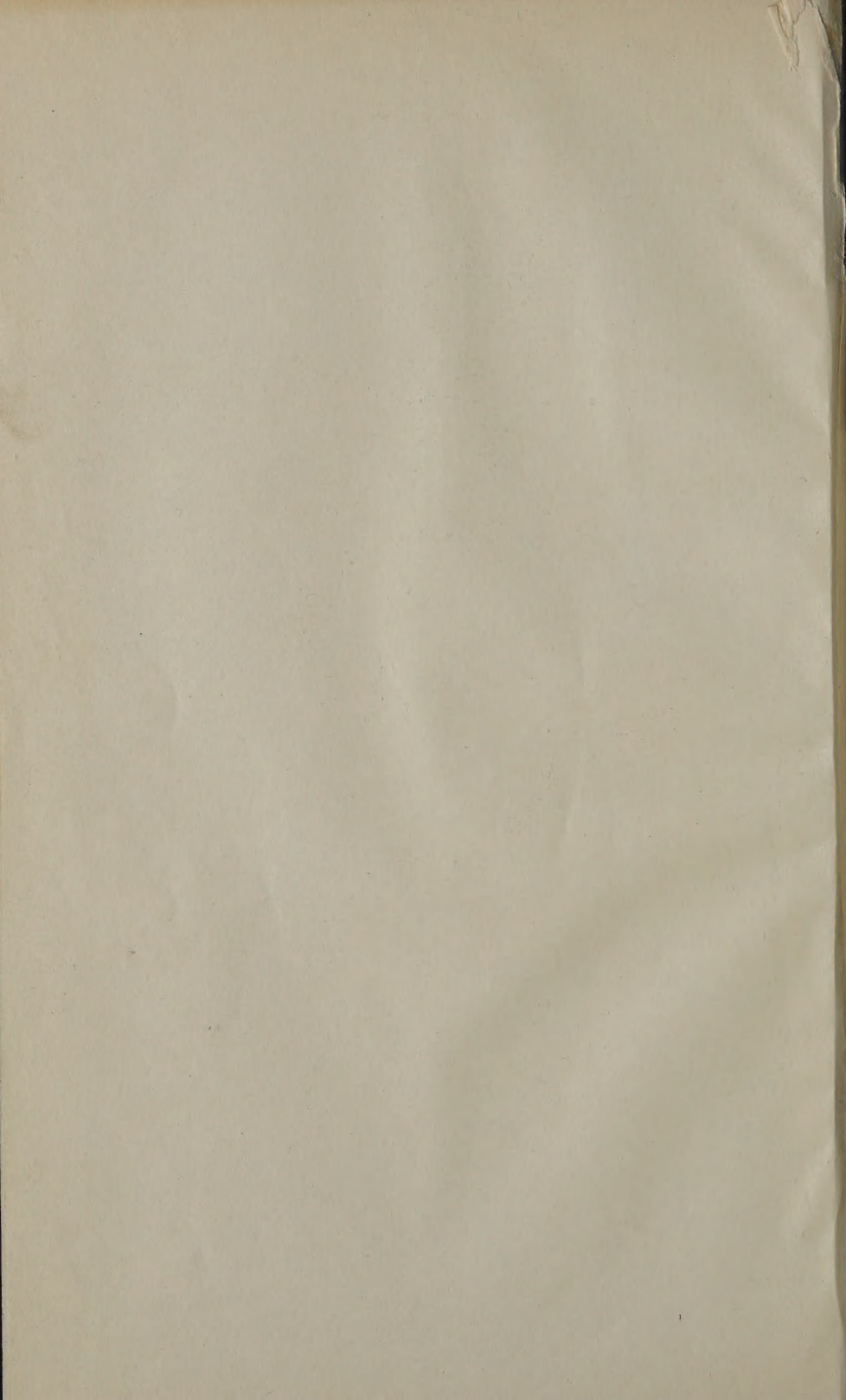


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HOUSE JOURNAL

OF THE

**Twenty-seventh Legislative
Assembly**

OF THE

STATE OF MONTANA

Held at Helena, the seat of Government of said State,
commencing January 6, 1941, and
ending March 6, 1941.

J. P. BRENNAN,
Chief Clerk.

HILDA RICHESON,
Journal Clerk.

PUBLISHED BY AUTHORITY

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HOUSE JOURNAL

OF THE

Twenty-seventh Legislative Assembly



Half of House, the year in Government of said State,
commencing January 5, 1891, and
ending March 5, 1891.

WILLIAM ELLIOTT,
Journal Clerk.

A. R. BERNHART,
Chief Clerk.

PRINTED BY AUTHORITY

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OFFICERS AND MEMBERS

OF THE

Twenty-seventh Legislative Assembly of the State of Montana

1941

Governor: SAM C. FORD

Lieutenant Governor and President of the Senate: ERNEST T. EATON

Speaker of the House: E. J. STROMNES

Members of Senate

NAME	Residence	County	Politics
*Alvord, A. A.	Thompson Falls.	Sanders.	Democrat
*Angvick, Lars.	Reserve.	Sheridan.	Republican
*Arnold, S. C.	Broadview.	Stillwater.	Republican
Baker, Dr. A. A.	Glendive.	Dawson.	Republican
*Baker, F. E.	Libby.	Lincoln.	Democrat
Balgord, O. P.	Lavina.	Golden Valley.	Republican
*Bateman, Dr. H. W.	Choteau.	Teton.	Republican
*Burke, Tom.	Billings.	Yellowstone.	Republican
Calder, Thomas.	Terry.	Prairie.	Democrat
*Campbell, John L.	Missoula.	Missoula.	Republican
*Chadwick, F. A.	Alberton.	Mineral.	Democrat
Clayton, L. M.	Wolf Point.	Roosevelt.	Republican
*Cotter, Charles P.	Townsend.	Broadwater.	Republican
*Dahl, Reynold C.	Great Falls.	Cascade.	Republican
D'Ewart, Wesley A.	Wilsall.	Park.	Republican
Drumheller, Dan M.	Cut Bank.	Glacier.	Democrat
Ecton, Zales N.	Manhattan.	Gallatin.	Republican
Findlater, R. P.	Miles City.	Custer.	Republican
Fowle, Geo., Sr.	Wh. Sulphur Spgs.	Meagher.	Democrat
Gilbert, Thos. E.	Dillon.	Beaverhead.	Republican
*Haight, Herbert H.	Suffolk.	Fergus.	Democrat
*Hammond, W. L.	Carlyle.	Wibaux.	Democrat
Haynes, F. F.	Forsyth.	Rosebud.	Republican
Hazelbaker, Howard K.	Polson.	Lake.	Republican
*Henderson, M. R.	Hall.	Granite.	Republican
Kalberg, F. S.	Circle.	McCone.	Republican
*Kaulbach, Dr. J.	Fort Benton.	Chouteau.	Republican
Keeley, W. E.	Deer Lodge.	Powell.	Republican
Liggett, J. A.	Roundup.	Musselshell.	Republican
*Lott, M. J.	Twin Bridges.	Madison.	Republican
*McQuitty, E. F.	Harlowton.	Wheatland.	Democrat
Maddox, Dan W.	Hardin.	Big Horn.	Republican
Mahoney, Charles H.	Jordan.	Garfield.	Republican
Manning, D. M.	Hysham.	Treasure.	Democrat
*Martin, Harry T.	Stevensville.	Ravalli.	Democrat
*Martinson, K. L.	Whitehall.	Jefferson.	Democrat
Morrison, R. E.	Helena.	Lewis and Clark.	Democrat
*Mulholland, M. J.	Butte.	Silver Bow.	Democrat
Mundy, G. F.	Gildford.	Hill.	Republican
*Nutt, Richard S.	Sidney.	Richland.	Republican
Olmstead, Leon C.	Big Timber.	Sweet Grass.	Republican
*Pauline, Robert.	Kallispell.	Flathead.	Republican
Peterson, N. A.	Valier.	Pondera.	Democrat
Plank, Leonard.	Chester.	Liberty.	Democrat
Robinson, F. L.	Malta.	Phillips.	Republican
Ross, Thomas A.	Chinook.	Blaine.	Republican
*Ruffcorn, George W.	Glasgow.	Valley.	Democrat
Simmons, H. A.	Red Lodge.	Carbon.	Republican
Taylor, William R.	Anaconda.	Deer Lodge.	Republican
Toman, J. Fred.	Bowers.	Powder River.	Republican
*Waldrop, Geo. R.	Winnett.	Petroleum.	Democrat
*Weinschrott, John.	Plevna.	Fallon.	Republican
Wilcoxon, Sherd.	Scobey.	Daniels.	Republican
*Wilson, Geo. W.	Shelby.	Toole.	Democrat
*Wood, C. L.	Alzada.	Carter.	Democrat
*Woods, Dale R.	Hobson.	Judith Basin.	Democrat

*Holdover. Elected 1938.

+To fill unexpired term of G. G. Davis, deceased.

Secretary of the Senate: CLAUDE J. McALLISTER.

President Pro-tem: W. E. KEELEY.

House of Representatives

NAME	Residence	County	Politics
Ahern, E. V.	Havre	Hill	Democrat
Allen, George J.	Livingston	Park	Republican
Anderson, Eric	Regina	Phillips	Republican
Anson, Don E.	Wisdom	Beaverhead	Republican
Antrim, Stanley	Stevensville	Ravalli	Democrat
Armstrong, Ory J.	Kalispell	Flathead	Republican
Aronson, J. Hugo	Cut Bank	Glacier	Republican
Ballard, Walter T.	Butte	Silver Bow	Democrat
Banka, Walter	Brady	Pondera	Democrat
Beazley, Tom G.	Roundup	Musselshell	Democrat
Beck, Martin J.	Vida	McCone	Democrat
Bjorneby, Emil G.	Kalispell	Flathead	Democrat
Blenkner, E. A.	Columbus	Stillwater	Republican
Burke, Edmund, Jr.	Bozeman	Gallatin	Democrat
Busch, L. W.	Baker	Fallon	Republican
Byrne, E. J.	Galata	Toole	Democrat
Cannon, Paul	Butte	Silver Bow	Democrat
Carlson, Charles A.	Basin	Jefferson	Republican
Castles, Wm.	Superior	Mineral	Republican
Clifford, Jerry J.	Anaconda	Deer Lodge	Democrat
Cole, N. A.	Terry	Prairie	Democrat
Cummings, Ted.	Great Falls	Cascade	Democrat
Curran, Peter J.	Butte	Silver Bow	Democrat
Dahlquist, Alvin	Opheim	Valley	Democrat
Davey, J. L.	Wolf Point	Roosevelt	Democrat
Dillavou, R. C.	Billings	Yellowstone	Republican
Dougherty, James N.	Elliston	Powell	Democrat
Eggenberger, Andrew D.	Harlowton	Wheatland	Republican
Esp, Leonard J.	Big Timber	Sweet Grass	Republican
Fewkes, D. F.	Troy	Lincoln	Republican
Flook, George W.	Lewistown	Fergus	Republican
Forebred, H. O.	Scobey	Daniels	Republican
Freshman, Walter C.	Butte	Silver Bow	Democrat
Friedl, Paul R.	Glasgow	Valley	Democrat
Gebhardt, R. H.	Billings	Yellowstone	Republican
Goodwin, Phil C.	Butte	Silver Bow	Democrat
Green, Henry R.	Lindsay	Dawson	Republican
Gunderson, Ole S.	Power	Cascade	Democrat
Hageman, Arthur	Jordan	Garfield	Republican
Hammond, Grant	Billings	Yellowstone	Republican
Harken, R. C.	Forsyth	Rosebud	Democrat
Harrison, J. Scott	Helena	Lewis and Clark	Republican
Hazelbaker, Frank W.	Missoula	Missoula	Republican
Helding, Oscar	Missoula	Missoula	Democrat
Hess, H. H.	Havre	Hill	Democrat
Horrigan, Frank W.	Philipsburg	Granite	Republican
Hunter, Dr. W. L.	Kenwood, Helena	Lewis and Clark	Republican
James, David F.	Joplin	Liberty	Democrat
Kemmis, Walter D.	Sidney	Richland	Republican
Kirschner, W. G.	Townsend	Broadwater	Democrat
LaBonte, Walter B.	Kalispell	Flathead	Republican
Laubach, Harry	Dutton	Teton	Republican
Lehrkind, Carl, Jr.	Bozeman	Gallatin	Democrat
Lippard, Gordon J.	Loma	Chouteau	Democrat
Loughran, Mike	Butte	Silver Bow	Democrat
Lowe, Ray G.	Glendive	Dawson	Republican
Lynch, Austin E.	Highwood	Chouteau	Democrat
McDaniel, A. N.	Charlo	Lake	Republican
McGreevey, Barney	Anaconda	Deer Lodge	Democrat
McKenna, George	Geyser	Judith Basin	Democrat
McMichael, D. A.	Paradise	Sanders	Republican
Martin, C. Lester	Harrison	Madison	Republican
Martin, Mrs. R. T.	Lewistown	Fergus	Democrat
Mernin, Henry F.	Butte	Silver Bow	Democrat
Miller, W. G.	Sanders	Treasure	Republican
Morrow, James H., Jr.	Bozeman	Gallatin	Republican
Murray, Thomas	Anaconda	Deer Lodge	Democrat
Nash, L. E.	Missoula	Missoula	Democrat
Nelson, Wm. J.	Barber	Golden Valley	Democrat
Newell, J. T.	Red Lodge	Carbon	Republican
O'Brien, John	Butte	Silver Bow	Democrat
O'Connor, G. W.	Fromberg	Carbon	Republican
Oliver, John	Ekalaka	Carter	Republican
Parker, Clem	Wibaux	Wibaux	Democrat
Parker, Neil C.	Kalispell	Flathead	Republican
Parker, Ralph A.	Fort Shaw	Cascade	Democrat
Petersen, P. C.	Westby	Sheridan	Democrat
Phelan, D. J.	Billings	Yellowstone	Democrat
Potter, John V.	Wh. Sulphur Spgs.	Meagher	Republican
Rasmussen, A. J.	Harlem	Blaine	Democrat

HOUSE OF REPRESENTATIVES—(Continued)

NAME	Residence	County	Politics
Reed, W. H. ✓	Turner.....	Blaine.....	Republican
Rice, John E. ✓	Lodge Grass.....	Big Horn.....	Democrat
Roehl, E. R. ✓	Lewistown.....	Fergus.....	Republican
Saylor, Clarence R. ✓	Winnett.....	Petroleum.....	Democrat
Scofield, Charles L. ✓	Biddle.....	Powder River.....	Republican
Scott, P. M. ✓	Loring.....	Phillips.....	Democrat
Simpson, Milton C. ✓	Volborg.....	Custer.....	Republican
Spiegel, Sam. ✓	Butte.....	Silver Bow.....	Democrat
Stevens, Charles L. ✓	Great Falls.....	Cascade.....	Democrat
Stromnes, E. J. ✓	Great Falls.....	Cascade.....	Democrat
Tonn, Armand W. ✓	Broadus Rt., Miles City.....	Custer.....	Democrat
Toole, Warren.....	Great Falls.....	Cascade.....	Democrat
Toomey, E. G. ✓	Helena.....	Lewis and Clark.....	Republican
Tyler, R. G. ✓	Homestead.....	Sheridan.....	Democrat
Vanek, Joe. ✓	Brooks.....	Fergus.....	Democrat
Watson, Fred. ✓	Missoula.....	Missoula.....	Republican
Welcome, George. ✓	Gardiner.....	Park.....	Democrat
White, Rob B. ✓	Butte.....	Silver Bow.....	Republican
Williams, C. J. ✓	Billings.....	Yellowstone.....	Republican
Wilson, S. P. ✓	Boyd.....	Carbon.....	Republican
Winters, W. J. ✓	Stevensville.....	Ravalli.....	Republican
Zuck, John Q. ✓	Poplar.....	Roosevelt.....	Democrat

Chief Clerk of the House: J. P. BRENNAN.

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1	Introduced by Cummings: A bill for an act entitled: "An act relating to the licensing of persons operating motor vehicles upon highways and make uniform the laws relating thereto for the purpose of securing a greater safety to the lives and persons of the public generally of the State of Montana and providing penalties for the violation of the provisions thereof."	16, 212.
Sub. 1	Introduced by Cummings: A bill for an act entitled: "An act relating to the licensing of persons operating motor vehicles upon highways and to make reasonably uniform the laws relating thereto for the purpose of securing a greater safety to the lives and persons of the public generally of the State of Montana, providing for the administration of this act by the Montana Highway Patrol, and defining its powers and duties in the administration hereof, and providing penalties for the violation of the provisions hereof; providing for the suspension and revocation of licenses; establishing an comprehensive system of regulation through licensing, effective from and after January 1, 1942; and repealing Section 1741.11, as amended by Chapter 182, Laws 1937, and Sections 1761, 1762 and 1763, Revised Codes of Montana, 1935, and all acts and parts of acts in conflict herewith."	212, 269, 308, 316, 346, 355, 517.
2	Introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the payment of mileage and per diem to the members of the Twenty-seventh Legislative Assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the Twenty-seventh Legislative Assembly of the State of Montana."	16, 17, 18.
3	Introduced by Curran: A bill for an act entitled: "An act to amend Section 19 of Chapter 137 of the Session Laws of Montana, 1937, as amended by Section 6 of Chapter 137 of Session Laws of Montana, 1939, the same being the Unemployment Compensation Law of the State of Montana, providing for the inclusion of employees of the State of Montana and all political sub-divisions thereof among those entitled to the benefits of said act.".....	20, 230, 313.
4	Introduced by Morrow and Allen: A bill for an act entitled: "An act to amend Section 4736 Revised Codes of Montana of 1935, relating to the time and offices to be kept open at county seat.".....	20, 45.

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5	Introduced by Byrne: A bill for an act entitled: "An act to provide for an apportionment of membership and representation of the several counties of Montana in the House of Representatives of the Legislative Assembly of Montana and to fix the number of members thereof."	21, 370.
6	Introduced by Williams: A bill for an act entitled: "An act providing for the filing of assignments of conditional sales contracts and imparting notice thereof."	21, 34, 43, 48, 50, 52, 101.
7	Introduced by Fewkes: A bill for an act entitled: "An act to amend Sections 414, 511 and 4739 of the Revised Codes of Montana of 1935, relating to state and county officers, their absence from the state and vacancies in office caused thereby, and providing exceptions in case of service with the armed forces of the State or of the United States in keeping with the spirit of the United States selective service act of 1940; repealing all acts and parts of acts in conflict herewith; and providing that this act shall take effect from and after its passage and approval."	21, 95, 114, 128, 130, 134, 517.
8	Introduced by Eggenberger: A bill for an act entitled: "An act to amend Sections 1783 and 1784 of the Revised Statutes of Montana of 1935 and providing for the creation of a new non-political state highway commission; providing for the appointment of its members, their duties, compensation, and terms of office; providing for a chairman of the commission; and regulating the political activities of members of the commission and providing grounds upon which the procedure by which they may be discharged; and establishing requirements for the conduct of the business of the commission."	21, 64, 130, 152, 174, 184.
9	Introduced by Lippard and Friedl: A bill for an act entitled: "An act providing for the employment, discharge and compensation of assistants to civil executive state officers, boards, commissions and departments, and delegating certain powers relating thereto to the board of examiners and repealing all acts and parts of acts, and particularly Chapter 5, the Laws of 1937, in conflict herewith."	28, 95.
Sub. 9	Introduced by Committee on State Boards and Offices: A bill for an act entitled: "An act relating to the employment of assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers and executive attaches of all civil executive state officers, boards, commissions, bureaus, and departments of the State of Montana; authorizing the State Board	

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	of Examiners to fix the number, compensation, term and tenure of office of all such employees and repealing Chapter 5 of the acts of the Twenty-fifth Legislative Assembly of Montana of 1937 and all other acts and parts of acts in conflict herewith."	95, 100, 109, 119, 137, 149, 152, 158, 560, 562, 592, 600, 612, 613, 616, 620, 621.
10	Introduced by Armstrong: A bill for an act entitled: "An act providing for the disposition of all moneys received from drivers license fees, corporation license taxes, electric energy producers license taxes, metalliferous mines license taxes, telegraph license taxes, oil producers license taxes, natural gas distributors license taxes, liquor license taxes, telephone license taxes, inheritance and estate taxes, income taxes, Montana beer act, net revenues from state liquor control act, moneys collected and received by State Railroad Commission, State Public Service Commission, State Board of Health, Department of Agriculture, Labor and Industry, State Examiner, State Forester, Higher Educational Institutions, Reformatory, Custodial and Penal Institutions, State Hospitals and Sanitariums; providing for the transfer of fund balances to the State general fund; amending Sections 1741.12, 2343.3, 2344.12, 2399, 2815.50 Revised Codes of Montana 1935 relating to license taxes and fees and the disposition thereof; and repealing Sections 2295.28, 2303.12, 2355.9, 2408.9, 2815.157 and 10400.49, Revised Codes of Montana 1935, and Subsection 1 of Section 11 of Chapter 87, Section 29 of Chapter 84, Section 7 of Chapter 91, Section 9 of Chapter 94, Section 11 of Chapter 199, and Section 7 of Chapter 201, of the Session Laws of 1937, and all other acts and parts of acts in conflict herewith."	28, 64, 67, 73, 80, 81, 100, 103, 252, 268, 272, 296, 300, 365.
11	Introduced by Hageman: A bill for an act entitled: "An act prohibiting the use of certain canes except by blind persons, providing protection against accidents to such persons, and providing penalties for violation hereof."	30, 90, 100, 114, 115, 128, 130, 134, 213, 222, 252, 270.
12	Introduced by Hageman: A bill for an act entitled: "An act to amend Section 5306 of the Revised Codes of Montana, 1935, relating to the power of a council to discontinue streets or alleys, to provide that the County Commissioners have the pow-	

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	er to discontinue streets or alleys in unincorporated towns."	30, 50, 53, 64, 65, 131, 140, 141, 147, 163.
13	Introduced by Petersen: A bill for an act entitled: "An act permitting boards of County Commissioners to provide at their option additional judges and clerks of election for the purpose of counting and tabulating votes and defining the duties and powers of the judges and clerks in each precinct containing one hundred and fifty or more registered voters, provided said precincts do not use voting machines."	30, 67, 72, 76, 108.
Sub. 13	A bill for an act entitled: "An act to amend Section 587 of the Revised Codes of the State of Montana of 1935, as amended by Chapter 61, Session Laws of the State of Montana, 1937, relating to the judges of election and their appointments."	108, 118, 138, 141, 145, 172.
14	Introduced by Lowe: A bill for an act entitled: "An act to amend Sections 4884, 4884.1 and 4885, Revised Codes of Montana, 1935, relating to mileage for members of the Legislative Assembly, State officers, county officers, township officers, jurors, witnesses, sheriffs and all other persons."	30, 108, 128, 131, 149, 152, 154, 171.
Sub. 14	Introduced by Committee on State Boards and Offices: A bill for an act entitled: "An act to amend Sections 4884, 4884.1 and 4885, Revised Codes of Montana, 1935, and Section 4916 of the Revised Codes of Montana as amended by Chapter 139 of the Laws of 1937, relating to mileage for members of the Legislative Assembly, state officers, county officers, township officers, jurors, witnesses, sheriffs and all other persons."	171, 188, 232, 253, 269, 273, 538, 542, 552, 569, 570, 594.
15	Introduced by Stevens. A bill for an act entitled: "An act for the payment of old age pensions; establishing a state old age pension commission; defining the qualifications of those entitled to receive old age pensions; providing for the administration of said act; providing for forms of applications; providing funds for the state old age pension commission and establishing a special fund known as the state old age pension fund; providing that aid from the United States government in furtherance of this act be placed in said fund; providing for eligibility to receive pensions; providing for the residence of applicants, and change of residence; providing for the expenses incurred in carrying out the provisions of the act; prohibit-	

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	ing assignments of grants; repealing all acts and parts of acts in conflict herewith."	32, 314.
16	Introduced by Ahern: A bill for an act entitled: "An act to amend Section 2235 Revised Codes of Montana 1935, as amended by Chapter 181 acts of Twenty-sixth Legislative Assembly, relating to the sale of unredeemed property by County Commissioners."	39, 59, 67, 76, 101, 104, 114, 118, 127, 172.
17	Introduced by Toole: A bill for an act entitled: "An act providing for the creation of a retirement list of Fish and Game department employees; providing age qualifications for those hereafter to be appointed as employees of said department; providing for those who are entitled to be placed upon said retirement list; providing for the creation of a retirement fund for the payment of salaries of those on the retirement list, and specifying the salary limits thereof."	40, 146.
18	Introduced by Bjorneby: A bill for an act entitled: "An act providing that it shall be unlawful for any person, association of persons or corporation to place or maintain poles, piles, piers, wharfs, booms or other obstructions in the waters of navigable lakes and streams of the State of Montana, unless lights shall be placed upon such poles, piles, piers, wharfs, booms or other obstructions, and providing penalties for the failure to comply with this act."	40, 90.
19	Introduced by LaBonte: A bill for an act entitled: "An act providing for the admission of Alice Pulver, aged and indigent daughter of a deceased Civil War veteran, to the Montana Soldiers' Home at Columbia Falls, Montana."	46, 64, 72, 81, 88, 89, 96, 166.
20	Introduced by Ahern: A bill for an act entitled: "An act to repeal Section 552 of the Revised Codes of Montana, 1935, relating to the establishment of voting precincts within or at an Indian agency."	46, 101, 115, 128, 130, 133, 199, 211, 270.
21	Introduced by Watson: A bill for an act entitled: "An act to amend Section 23.1 Chapter 137 of the Laws of 1937 as amended by the Twenty-sixth Legislative Assembly, 1939, providing for unemployment compensation; creating a State Unemployment Compensation Commission; establishing an unemployment compensation fund and providing for the administration, distribution and investment thereof; providing for the assessment and collection of contributions upon pay rolls of employers; creating a state employment service and	

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	providing an appropriation therefor; and providing penalties for violation; by adding thereto a section to be known as Section 23.1 and repealing all acts and parts of acts in conflict herewith."	46, 314.
22	Introduced by Holding: A bill for an act entitled: "An act to amend Section 4625 and Section 4753 of the Revised Codes of Montana of 1935, relating to the rate of interest paid by counties in Montana, on county warrants, 'not paid for want of funds'."	46, 82, 93, 104, 106, 107, 111, 260, 273, 295, 300, 376.
23	Introduced by Holding: A bill for an act entitled: "An act to amend Section 2815.50 of the Revised Codes of Montana of 1935, relating to the disposal of funds received under the provisions of the Montana Beer Act."	46, 89.
24	Introduced by Holding: A bill for an act entitled: "An act to amend Section 5081, of the Revised Codes of Montana of 1935, relating to warrants upon the treasurer of any city or town 'not paid for want of funds'."	46, 188.
25	Introduced by Holding: A bill for an act entitled: "An act to amend Section 29, Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana relating to the regulation, licensing and sale of liquor at retail in the State of Montana."	46, 51, 89.
26	Introduced by Holding: A bill for an act entitled: "An act to amend Section III, Part III, Chapter 82, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the amount of old age assistance granted to qualified persons by the State Department of Public Welfare and County Departments of Public Welfare."	47, 314.
27	Introduced by Lynch: A bill for an act entitled: "An act providing for an appointment of membership and representation of the several counties in Montana in the House of Representatives of the Legislative Assembly of Montana, and to fix the number of members thereof."	47, 370.
28	Introduced by Tyler, Byrne, Davey, Simpson, Forbregd, Holding, Lowe, Toomey, Petersen: A bill for an act entitled: "An act providing for the appointment and establishment of a board of embalmers and funeral directors, defining its duties and powers, transferring the records, files and funds of the Montana State Board of Health, relating to the supervision of embalming to the board herein created; providing that all funds be deposited with the treasurer of the State of Montana; defining the profession of embalming and funeral directing; providing for the qualifications	

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	of embalmers and funeral directors, internes and apprentices, and providing for the examination thereof; providing for licensing embalmers, internes and apprentices, and funeral directors, and prescribing the fees and renewal fees therefor; prohibiting the practice of the profession of embalmer, interne and apprentice and funeral director without a license, and prescribing penalties for the violation of this act; permitting those now licensed as embalmers, and funeral directors practicing for more than one year prior to the passage of this act to obtain a license without examination; providing for the suspension, revoking and cancelling of licenses, notice thereof, and appeals to the courts from the action of the board thereon; providing that if any part of this act be declared unconstitutional the remaining portions should not be affected; and repealing all acts, or parts of acts in conflict herewith."	47, 165, 188, 213, 305, 317, 335, 349, 464, 469, 477, 498, 506, 538.
29	Introduced by Dillavou, Hammond, Gebhardt, Williams, and Phelan: A bill for an act entitled: "An act creating the State Library Extension Commission, defining its members and their terms of office, specifying its general duties and powers; and providing that it shall issue professional librarians' certificates upon examination or qualification therefor, providing the fee to be charged applicants for certificates, providing that only certified librarians shall be employed after the effective date of this act, and defining the libraries to which this act shall be applicable; and amending Sections 1575.1 and 1575.2, Revised Codes of Montana of 1935, and repealing all acts and parts of acts in conflict herewith."	47, 108, 130, 149, 159, 161, 230.
30	Introduced by Dillavou: A bill for an act entitled: "An act providing for instruction in health, physical education and recreation in the elementary and secondary schools of the state: providing for the preparation of courses of instruction therein and for the appointment of a supervisor of physical education."	47, 76, 88, 104, 106, 107, 111, 301, 307, 311, 451, 461, 462, 468, 501.
31	Introduced by Allen: A bill for an act entitled: "An act to amend Section 5711 of the Revised Codes of Montana of 1935, relating to the obtaining of a license for marriage, and providing for application therefore, to define the duties of the Clerk of the District Court in relation thereto, and providing for penalties for violation of said duties."	47, 264, 278, 328, 335, 354, 485.

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32	Introduced by Nash and Toomey: A bill for an act entitled: "An act to amend Section 5384 of the Revised Codes of Montana of 1935 relating to supervisory powers of mayor and councilmen—election and removal of officers—police judge."....	47, 50, 53, 61, 64, 66, 172.
33	Introduced by Petersen, Tyler, McKenna, Anderson, Oliver, Cole: A bill for an act entitled: "An act relating to an emergency and to the granting of relief from mortgage foreclosures and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all acts and parts of acts in conflict herewith, but act not to be construed as repealing Chapter 124 of the Twenty-sixth Legislative Assembly of the State of Montana, or any part thereof."	49, 68, 72, 81, 89, 93, 98, 271, 284, 289, 376.
34	Introduced by Holding: A bill for an act entitled: "An act prohibiting persons hunting in this state from shooting at moving brush or any object which has not been unmistakably identified as game; providing that the shooting of any person by a hunter shall be prima facie evidence of criminal negligence; and fixing penalties for violation."	51, 57, 59, 68.
35	Introduced by Toole: A bill for an act entitled: "An act to amend Section 6968 of the Revised Codes of Montana of 1935, as amended by Section 1 of Chapter 166 of the laws enacted by the Twenty-fifth Legislative Assembly of the State of Montana, relating to the selection of homesteads, the quantity of land to be included therein and the value thereof, and of the dwelling house and appurtenances, and the basis of such value."	51, 64, 78, 83, 90, 107, 115, 118, 126, 413, 452, 453, 481, 486, 501.
36	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to validate and legalize certain contracts for the purchase of unredeemed property from counties by its former owner in certain cases."	51, 68, 72, 81, 88, 96, 249, 250, 252, 270.
37	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act relating to the floating indebtedness of counties outstanding	

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	at the close of business on the twenty-eighth day of February, 1941, and providing for the levying of special taxes or the issuance of funding bonds to pay such indebtedness when the same exceeds a certain amount."	51, 305.
Sub. 37	A bill for an act entitled: "An act relating to the floating indebtedness of county poor funds outstanding at the close of business on June 30, 1941; providing for levying special taxes to pay the same; and prohibiting the making of grants in aid to counties under the provisions of Part II of Chapter 82, session laws 1937, as amended, when such counties were on June 30, 1941, owing any amount or amounts to the state department of public welfare on account of reimbursements, if such counties fail to take advantage of the provisions of this act."	305, 350, 366, 383, 392, 539, 550, 556.
38	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to provide for credit on personal income tax for amounts paid as income tax on the same income to other states in certain cases."	51, 73, 88, 104, 114, 118, 126, 271, 284, 289, 381.
39	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2211 of the Revised Codes of Montana of 1935, relating to piecemeal redemption of real property sold for taxes."	51, 89, 100, 115, 118, 125, 271, 284, 289, 376.
40	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 4465.4 of the Revised Codes of Montana of 1935 relating to the power to make, time of making and amount of levies for the support and maintenance of the indigent sick and otherwise dependent poor of the county."	51, 73, 75, 81, 88, 97, 270, 308, 316, 317, 348, 610, 614, 623, 624, 625.
41	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to provide for the making of reports and statements with reference to net proceeds of mines by dissolved corporations or corporations which cease to do business, and the payment of the tax on such net proceeds."	52, 73, 75, 82, 88, 94, 230, 249, 250, 252, 270.
42	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2381.21 of the Revised Codes of Montana	

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	of 1935, relating to the reports of railways and carriers of gasoline or other motor fuel transported by them."	52, 89, 100, 115, 118, 125, 464.
43	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2295.10, relating to exemptions and change of status of taxpayer during the taxable year for personal income tax purposes."	52, 73, 88, 104, 114, 118, 126, 270, 308, 316, 327, 333, 371, 381.
44	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Chapter 202 of the Laws of 1937 of the State of Montana, providing the method for computing certain deductions allowable on the net proceeds tax in the production of petroleum and natural gas in Montana."	52, 73, 118, 130, 149, 152, 157, 271, 284, 289, 376.
45	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to provide for the making of reports and statements with reference to the metals mines license tax by dissolved corporations or corporations which cease to do business and the payment of the metalliferous mines license tax."	52, 73, 75, 82, 88, 94, 230, 249, 250, 252, 270.
46	Introduced by Committee on Education: A bill for an act entitled: "An act to amend paragraph 3 (a), of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, as amended by Section 2 of Chapter 202 of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to the "pension accumulation fund" and providing for an appropriation therefor: amending paragraph 5 (c), of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, as amended by Section 3, of Chapter 202, of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to the "expense fund" and providing for an appropriation therefor."	54, 194.
Sub. 46	A bill for an act entitled: "An act to appropriate money for the pension accumulation fund and the pense fund of the teachers' retirement system of the State of Montana for the period beginning July 1, 1941, and ending June 30, 1943; and providing that the appropriation for the pension accumulation fund shall not be deemed a determination of	

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	the normal or deficiency contributions by the state."	194, 261, 308, 317, 327, 602, 605, 607, 613, 614, 616.
47	Introduced by Hunter: A bill for an act entitled: "An act to amend Section 3115.5, Section 3115.10 and Section 3115.19 of the Revised Codes of Montana of 1935, being a part of Chapter 266 thereof known as "Montana dentistry regulation act", relating to the qualifications of persons licensed to practice dentistry, defining the practice of dentistry and prescribing penalties for the practice of dentistry or doing an act of dentistry without a certificate to practice and repealing all acts and parts of acts in conflict herewith."	54, 68, 72, 81, 93, 98, 213, 253, 254, 271, 347, 351, 373, 381, 397, 408, 476.
48	Introduced by Murray and McGreevey: A bill for an act entitled: "An act relating to salary and other small installment loans, providing for supervision thereof by the State Banking department, fixing maximum rate of interest thereon, providing for penalties for violation of the provisions of this act, and repealing all acts and parts of acts in conflict herewith."	60, 146, 154, 155, 165, 280.
49	Introduced by Williams: A bill for an act entitled: "An act relating to the appointment of judges of election and providing that one of the judges appointed for each precinct shall be designated as chairman and prescribing his powers and duties."	60, 67, 68, 72, 81, 99, 100, 103, 451.
50	Introduced by Toomey: A bill for an act entitled: "An act to prevent the manufacture, shipment and sale of adulterated or misbranded food, drugs, devices and cosmetics within the State of Montana and subject to its jurisdiction and to regulate intrastate traffic therein; and to prevent the false advertisement of food, drugs, devices, and cosmetics: providing for the licensing of certain food handling establishments: prescribing the power of the State Board of Health and of the secretary thereof in connection therewith and empowering said board and the secretary thereof to promulgate rules and regulations within the terms of this act and providing for judicial review of administrative acts, prescribing penalties, and for the repeal of Sections 2436, 2578, 2579, 2586, 2587, 2588, 2589, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599,	

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	Revised Codes of Montana, 1935, as amended or supplemented."	60, 336, 337, 339, 380, 407, 411, 440, 441, 568.
51	Introduced by Hess: A bill for an act entitled: "An act amending paragraph (a), of Section 2, of Chapter 126, of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to "undertakings" authorized under this act, amending Section 4, of Chapter 126, of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to "authorization of undertaking, form and contents of bonds."	60, 178.
52	Introduced by Toomey: A bill for an act entitled: "An act to amend Section 624 of the Revised Codes of Montana of 1935, relating to qualifications of voters at any caucus, convention, etc.; and to repeal Sections 618.1, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 667, 668, 669, 670, and each thereof, of the Revised Codes of Montana of 1935; and Section 654 of the Revised Codes of Montana of 1935, as amended by Chapter 181, Laws of 1937; all of said Sections 631-670, aforesaid, and said amended sections, inclusive, relating to primary elections and the primary election system, and to repeal all acts and parts of acts in conflict herewith."	60, 191, 192.
53	Introduced by Toomey by request: A bill for an act entitled: "An act to amend Section 9246 of the Revised Codes of Montana, 1935, with relation to the duty of the court to require security upon granting injunctions or restraining orders."	60, 68, 72, 81, 88, 90, 96, 154, 161, 163, 198.
54	Introduced by Anderson: A bill for an act entitled: "An act to amend Section 2208.4 of the Revised Codes of Montana, 1935, relating to the quieting of title to lands acquired by the county for taxes, making it mandatory for the county attorney to quiet title to said lands acquired by the county for taxes."	60, 95, 100, 109, 128, 130, 134, 230.
55	Introduced by Banka by request: A bill for an act entitled: "An act assenting to the provisions of the act of Congress entitled: 'An act to provide that the United States shall aid the states in wildlife restoration projects, and for other purposes', approved September 2, 1937; vesting certain authority in the Montana Fish and Game Commission in connection therewith and providing for disposition of funds realized thereunder."	61, 189, 227, 253, 269, 271, 287, 554.

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56	Introduced by Oliver, Busch and Zuck: A bill for an act entitled: "An act to permit real property to be redeemed from tax sale and from tax deeds issued subsequent to February 7th, 1939, by paying the original tax, providing such original taxes be paid within the time expressed in this act; relating to the time of taking tax deeds and staying the operation of all laws in conflict herewith."	61, 339.
57	Introduced by Harrison by request: A bill for an act entitled: "An act to amend Section 9344 of the Revised Codes of Montana of 1935, relating to trial jury challenges for cause."	61, 153.
58	Introduced by Toomey and Harkin: A bill for an act entitled: "An act to amend Section 9394 of the Revised Codes of Montana, 1935, by making a part of the bill of exceptions the opinion of the trial court, if one be made in writing, relating to any of the matters contained in the judgment roll and bill of exceptions."	64, 130, 147, 162, 165, 169, 280, 295, 300, 376.
59	Introduced by Rice and Morrow: A bill for an act entitled: "An act prohibiting retail vendors of liquor or wines from employing any person under the age of twenty-one (21) years as a bartender, waiter or waitress whose duty it would be to service customers purchasing liquors or wines."	65, 89, 100, 115, 342, 366, 379, 393, 538, 542, 552, 564, 565, 594.
60	Introduced by Cannon and Toole: A bill for an act entitled: "An act creating and establishing a legislative council of the legislature for the State of Montana providing for membership and party representation on the council; providing for its duties and granting to the council authority to make investigation and carry on any research deemed necessary, subpoena witnesses and pay fees and mileage to witnesses; providing for meetings and receiving messages from the Governor of the state, making it the duty of state and local officials to make studies and reports for the council when so requested; authorizing the employment of a secretary and additional assistants in the preparation of a program of legislation regarding any matters of state-wide public importance within the jurisdiction of the legislative branch of the state government; providing for the keeping of minutes of the meetings of the council and the right of members of the legislature and citizens of the state and nation to attend sessions of the council and present their views; providing for recommendations of the council to be made to the duly elected members of the legislature; and providing for the compensation of the members	

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	of the council for the time spent in attendance at sessions of the council and for the payment of expenses incurred by the council."	65, 107, 130, 144, 154, 339.
61	Introduced by Toomey, Phelan, Nash, Harken, Potter, Aronson, Gebhardt, Byrne: A bill for an act entitled: "An act to amend three (3) sections of the Revised Codes of Montana of 1935, as amended, all relating to the regulation of the practice of cosmetology and hairdressing, being Section 3228.1 Revised Codes of Montana, 1935, as amended by Chapter 222 of the Session Laws of the Twenty-sixth Legislative Assembly, 1939, relating to the license required to practice or teach cosmetology by providing also for a manager-operator license, defining its scope and conditions; and Section 3228.6 Revised Codes of Montana, 1935, relating to the rules to be prescribed by the Montana State Examining Board of Beauty Culturists, by providing that such board may establish rules as herein set forth, and in addition to such rules, minimum prices in territorial districts and providing the conditions therefor; and Section 3228.15 Revised Codes of Montana, 1935, as amended by Chapter 222 of the Session Laws of the Twenty-sixth Legislative Assembly, 1939, relating to the fees for applicants for examination and licenses by amending the fees and by providing that no other or additional fees shall be imposed by municipal corporations or other political subdivisions of the State of Montana."	65, 170, 188, 253, 265, 268, 502, 537, 540, 554.
62	Introduced by Freshman: A bill for an act entitled: "An act to amend Section 4139.1, Revised Codes of Montana, 1935, relating to abstracters and the business of abstracting."	69, 191, 211, 253, 265, 267, 351.
63	Introduced by Spiegel, Mernin, Freshman, Cannon, Ballard, Curran, Loughran, Goodwin, O'Brien, Clifford, Murray, McGreevey, White: A bill for an act entitled: "An act to amend the public welfare act of Montana, being Chapter 82 of the Laws of 1937, by amending Section II of Part VI thereof, relative to the services for crippled children and child welfare services, and providing a definition of services for crippled children."	69, 270, 291, 397, 408, 420, 429, 434, 485.
64	Introduced by Gebhardt, Lippard, Aronson, Rice, Morrow, Phelan, Harken, Ahern, Burke: A bill for an act entitled: "An act to amend Section 1741.12 of the Revised Codes of Montana, 1935, relating to the Highway Patrol revolving fund by creating a Montana Highway Patrolmen's pension	

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	fund, and to amend Section 1741.5 of the Revised Codes of Montana, 1935, as amended by Chapter 182 of the Session Laws, Twenty-fifth Legislative Assembly of Montana, 1937, relating to assistant supervisors and patrolmen—qualifications of patrolmen; and providing for service pensions, disability pensions and widows or orphans pensions to be paid members or survivors of members of the Montana Highway Patrol of the State of Montana; and repealing all acts and parts of acts in conflict herewith."	69, 115, 118, 286.
Sub. 64	Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 1741 of the Revised Codes of Montana, 1935, by adding new sub-sections to be designated as Sections 1741.13; 1741.14; 1741.15; 1741.16; 1741.17; 1741.18; 1741.19 and 1741.20; creating a Montana highway patrolmen's pension fund; and providing for retirement annuities, disability pensions, widows' and orphans' pensions to be paid members or survivors of members of the Montana highway patrol of the state of Montana; creation of patrolmen reserves; and providing for an appropriation to establish the pension fund herein created; and amending Section 1741.5 of the Revised Codes of Montana, 1935, as amended by Chapter 182 of the Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, relating to qualifications of patrolmen; and repealing all acts and parts of acts in conflict herewith."	286, 344, 383, 389, 413, 424.
65	Introduced by Spiegel and Murray: A bill for an act entitled: "An act relating to the employment of assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers and executive attaches of all civil executive state officers, boards, commissions, bureaus and departments of the State of Montana; authorizing the State Board of Examiners to fix the number, compensation, term and tenure of office of all such employees and repealing Chapter 5 of the acts of the Twenty-fifth Legislative Assembly of Montana of 1937 and all other acts and parts of acts in conflict herewith."	69, 95.
66	Introduced by Morrow: A bill for an act entitled: "An act to amend Section 10,149 of the Revised Codes of Montana, of 1935, relating to the summary administration and setting over to the widow and/or minor child or children of estates of intestates of less than fifteen hundred dollars and also estates less than three thousand dollars."	69, 212.
67	Introduced by Harken by request: A bill for an act entitled: "An act to amend Section 177 of the Revised Codes of Montana, 1935, relating to the	

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	allotment of forest reserve funds apportioned to the counties."	69, 166.
68	Introduced by Morrow: A bill for an act entitled: "An act to amend Section 9111 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 175 of the Twenty-fifth Legislative Assembly, 1937, and as amended by Chapter 186 of the Twenty-sixth Legislative Assembly, 1939, relating to summons—how served; and providing for the method of service of a summons in cases where a corporation, partnership, association, trustee, or individual is a non-resident."	70, 137, 163, 174, 182, 183, 300, 307, 371.
69	Introduced by Committee on Federal Relations: A bill for an act entitled: "An act to amend Section 7 of Chapter 85 of the Laws of the Twenty-fifth Legislative Assembly, 1937, as amended by Chapter 209 of the Laws of the Twenty-sixth Legislative Assembly and continuing in force and provisions of said Chapter 209 of the Twenty-sixth Legislative Assembly, 1939."	70, 137.
Sub. 69	A bill for an act entitled: "An act authorizing the state to take advantage of federal activities to furnish emergency relief employment to needy citizens of the state; creating an emergency relief fund; providing for the levy of a tax to finance such funds; authorizing public bodies to issue anticipatory emergency relief fund warrants; authorizing the State Land Board to purchase such warrants under certain conditions and declaring an emergency."	137, 152, 174, 184, 188, 220, 222, 300, 321.
70	Introduced by Committee on Judiciary: A bill for an act entitled: "An act amending Section 8815 of the Revised Codes of Montana for 1935, regarding payment of salaries of justices of the supreme court and district judges, and expediting litigation in district courts."	70, 108, 192.
71	Introduced by Mernin: A bill for an act entitled: "An act to amend Section 2952 of the Revised Codes of Montana of 1935, as amended by Chapter 67, of the Session Laws of 1937 relating to workmen's compensation: and to repeal all acts and parts of acts in conflict herewith."	70, 289.
72	Introduced by Mernin: A bill for an act entitled: "An act to amend Section 2917 of the Revised Codes of Montana of 1935 of the workmen's compensation law relating to medical and hospital services and such other treatment as approved by the board."	70, 290.

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73	Introduced by Phelan, Friedl, Eggenberger, Davey, Kirscher: A bill for an act entitled: "An act amending Chapter 163, Session Laws 1939, relating to licenses for the operation, maintenance, opening or establishment of stores in this state, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith: and prescribing penalties for the violation thereof, and repealing all acts and parts of acts inconsistent therewith."	70, 264.
74	Introduced by Murray, Cannon, Mernin, McGreevey, Clifford: A bill for an act entitled: "An act amending Section 2816 Revised Codes of Montana 1935, and adding a new part to Chapter 256, Volume II, of the Political Codes, R. C. M. 1935, to be designated as Part VI, containing Sections 3033.1 to 3033.9 inclusive, relating to compensation for the occupational disease of silicosis."	70, 262.
75	Introduced by Dillavou, Williams, Gebhardt, Hammond: A bill for an act entitled: "An act to repeal Section 11254 of the Revised Codes of Montana, 1935, relating to placing passenger-cars in front of freight cars."	70, 299.
76	Introduced by James: A bill for an act entitled: "An act to amend Section 1805.21, Revised Codes of Montana of 1935, as amended by Chapter 65, Laws of the Twenty-sixth Legislative Assembly of 1939, related to the renewal of leases on state lands, and to repeal Section 1805.35, Revised Codes of Montana of 1935."	73, 89, 100, 115, 118, 127, 199, 202, 213, 276, 280, 295, 300, 376.
77	Introduced by Murray, Spiegel, Clifford: A bill for an act entitled: "An act to prohibit employer or organization to interfere with the rights of employees to organize into labor organizations; providing penalties therefor; repealing acts and parts of acts in conflict herewith."	73, 159.
78	Introduced by Morrow: A bill for an act entitled: "An act relating to actions for personal injuries, wrongful death and injury to property, abolishing the common law defense of contributory negligence and substituting therefor the rule of comparative negligence."	74, 299.
79	Introduced by Blenkner: A bill for an act entitled: "An act to amend Sections 4309 and 4350 of the Revised Codes of Montana 1935, "defining the boundaries of Carbon and Stillwater counties and changing a portion of the boundary line between the counties of Stillwater and Carbon; taking	

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	from said county of Carbon certain territory and adding the same to the said county of Stillwater; providing for the appointment of commissioners to adjust indebtedness; providing for the transfer of school funds; providing for the transcribing and transfer of records and the transfer of actions pending in court; and providing that township, school, and other officers within the territory so transferred shall hold their offices for the balance of their terms."	74, 118.
80	Introduced by Williams and Dillavou: A bill for an act entitled: "An act providing for licensing of motor vehicles in transit; regulating the manner of towing and the speed of such vehicles; requiring liability insurance and providing for disposal of funds; providing penalties for violation and repealing all acts and parts of acts in conflict herewith."	74, 314.
81	Introduced by Friedl: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to Section 2, Article XIX of the Constitution of the State of Montana relating to lotteries or gift enterprises owned, operated and conducted exclusively by the State of Montana."	76, 312, 350, 366, 383, 393, 440.
82	Introduced by Tyler: A bill for an act entitled: "An act to amend Section 8944 of the Revised Codes of the State of Montana, 1935, relating to and defining the practice of law and who is deemed to be practicing law and prescribing the penalties attached thereto for said violation."	76, 283.
83	Introduced by Lynch and Lippard: A bill for an act entitled: "An act to amend Section 970 of the Revised Codes of Montana, 1935, relating to the abandonment of school districts."	76.
84	Introduced by Williams: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in or about public amusements, and providing penalties for a violation thereof, and repealing all acts in conflict therewith."	76, 89, 100, 115, 118, 127, 271, 284, 289, 376.
85	Introduced by Nelson: A bill for an act entitled: "An act relating to slot machines and pin ball machines, defining the crime of possessing a slot machine or pin ball machine, prescribing penalties for the violation thereof, and repealing all acts in conflict therewith."	76, 263.
86	Introduced by Williams: A bill for an act entitled: "An act to amend Section 1758.3 of the Revised Codes of Montana, 1935, relative to chattel mort-	

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	gages and conditional sales contracts on motor vehicles by providing that all conditional sales contracts, mortgages or liens deposited with the registrar of motor vehicles must be accompanied with the certificate of ownership, and that the unpaid balance of any mortgage or lien must be noted upon certificate of ownership by the registrar to make said chattel mortgage or lien valid as against creditors or subsequent purchasers.".....	76, 147, 163, 174, 177, 180, 351.
87	Introduced by Clifford, Murray, McGreevey: A bill for an act entitled: "An act appropriating money derived from the sale of state insane hospital bonds of the State of Montana under the provisions of referendum measure 43, which was submitted to the vote of the electors of the State of Montana in the last general election, and which provides that such funds should be used for the construction, repairing and equipping of necessary buildings, other permanent improvements and acquisition of necessary grounds therefor, at the Montana State Hospital for the Insane located at Warm Springs, Montana, and for the issue and sale of such bonds by the state board of examiners and at such times as by the state board of examiners are deemed to be necessary for the erection, repairing and equipping of necessary buildings, other permanent improvements and the acquisition of necessary grounds therefor at the State Hospital for the Insane; providing that the funds derived from the sale of such bonds are to be expended only for the purpose herein set forth and relating to the powers of the state board of examiners with respect to the sale of bonds and use of funds."	79, 90, 114, 131, 226.
Sub. 87	A bill for an act entitled: "An act directing the State Board of Examiners to issue state insane hospital bonds of the State of Montana under the provisions of Chapter 168 of the Laws of the Twenty-sixth Legislative Assembly, which law was submitted to the vote of electors of the state at the last general election and received a majority of the votes cast for and against it at said election, and which law provides that moneys derived from the sale of said bonds shall be used for the purpose of constructing, repairing and equipping necessary buildings, for other permanent improvements and for acquiring necessary grounds therefor, at the Montana State Hospital for the Insane at Warm Springs, Montana."	226, 254, 271, 283, 308, 323, 349, 464, 481, 486, 501.
88	Introduced by Education Committee: A bill for an act entitled: "An act to amend Section 1263.11 Revised Codes of Montana 1935, relating to high	

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	school budgets, tax levy for high schools and apportionment of the proceeds of such levy."	79, 257, 269, 328, 346, 357, 555, 569, 570, 594.
89	Introduced by Education Committee: A bill for an act entitled: "An act to amend Section 1034, Revised Codes of Montana, 1935, relating to consolidated districts and procedure in event of consolidation."	79, 152, 174, 184, 188, 221, 501.
90	Introduced by Education Committee: A bill for an act entitled: "An act to amend Section 1223 of the Revised Codes of Montana, 1935, relating to the challenging of voters, or of electors and the false affidavit of electors on school district elections for the purpose of extra taxation and repealing all acts or parts of acts in conflict herewith."	79, 107, 118, 138, 141, 144, 149, 162, 163, 164, 391, 397, 408, 464.
91	Introduced by Forbregd: A bill for an act entitled: "An act to re-enact Chapter 140, of the Twenty-sixth Legislative Assembly, 1939, an act to permit payment of delinquent installments on certificates of purchase of state lands without paying penalty interest, providing such installments be paid on or before December 1, 1942."	79, 89, 114, 128, 130, 134, 280, 296, 300, 381.
92	Introduced by Dillavou, Gebhardt, Hammond, Phelan, Williams, Curran, White, Cummings, Gunderson, Parker of Cascade, Stevens, Toole: A bill for an act entitled: "An act to amend Chapter 176 of the Session Laws of the Twenty-sixth Legislative Assembly, which is an act to amend Section 4464 of the Revised Codes of Montana, 1935, relating to compensation and mileage of county commissioners."	79, 125, 147, 162, 171.
93	Introduced by Newell: A bill for an act entitled: "An act to amend Section 3742 of the Revised Codes of Montana 1935, as amended by Chapter 115 of the Laws of 1939, relating to transportation, possession and disposal of game animals or parts thereof and to exclude from the provisions thereof the hides and antlers of elk and deer."	82, 146, 163, 174, 177, 180, 271, 284, 289, 376.
94	Introduced by James: A bill for an act entitled: "An act to repeal Sections 2430, 2431, 2432, and 2433 of the Revised Codes of Montana 1935, rela-	

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	tive to licenses required for furnishing premiums or bonuses for the sale of merchandise."	82, 192.
95	Introduced by Williams: A bill for an act entitled: "An act to amend Section 6014.31 of the Revised Codes of Montana, 1935, and repealing all acts and parts of acts in conflict herewith."	82, 100, 115, 128, 130, 135, 300, 309, 311, 376.
96	Introduced by Murray, McGreevey, and Clifford: A bill for an act entitled: "An act to authorize the organization of state employees to bargain collectively with their employers and to provide rules and regulations for such collective bargaining organizations."	91, 107, 197.
97	Introduced by Eggenberger: A bill for an act entitled: "An act to extend protection to the civil rights of members of the military and naval establishments of the United States, now engaged in military or naval training or who will be so engaged in the future."	91, 118, 195.
98	Introduced by Committee on Appropriations: A bill for an act entitled: "An act authorizing the state depository board to invest moneys belonging to state bond sinking and interest funds in certain classes of securities."	91, 189, 282, 309, 340, 350, 356, 485, 495, 506, 538.
99	Introduced by Committee on Appropriations: A bill for an act entitled: "An act authorizing the State Board of Examiners of the State of Montana to issue and sell refunding bonds for the purpose of providing funds to pay outstanding Montana State Insane Asylum revenue bonds; providing the methods therefor; and, appropriating money for carrying out the provisions of this act."	91, 108, 130, 149, 152, 157, 271, 284, 289, 376.
100	Introduced by Gunderson, Curran, Parker of Cascade, Cummings, and Toole: A bill for an act entitled: "An act relating to the payment of old age pensions to needy aged; defining the term "need"; providing for certain exemptions in determining need; creating a state old age pension commission and county old age pension commission; prescribing their powers and duties; providing for the appointment, salary and term of office; creating and establishing an old age pension fund; providing for administration of this act; prescribing rules of eligibility and regulations for grants of pensions; providing the amount of pension; providing for appropriations, transfer and disposition of funds and revenue; defining fraudulent acts and providing penalties therefor; repealing Part 3	

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	of Chapter 82 of the Laws of Twenty-fifth Legislative Assembly of 1937."	91, 319.
Sub. 100	A bill for an act entitled: "An act to amend Part III, Section III of Chapter 82, of the laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the amount of old age assistance granted to qualified persons by the state department of public welfare and county boards of public welfare, and providing that persons of certain income shall be deemed prima facie in need and providing that such presumption be a disputable presumption, and may be controverted by other evidence; providing that if any of the provisions of this act be held unconstitutional or invalid or unenforceable, such unconstitutional, invalid or unenforceable provision shall be considered severable from the remainder of the act.".....	319, 361, 381, 407.
101	Introduced by Armstrong, Byrne, Lehrkind, Anson, Morrow, Blenkner and Newell: A bill for an act entitled: "An act making appropriations for the state public school general fund for the period beginning July 1, 1941, and ending June 30, 1943."	91, 108, 118, 138, 141, 145, 386, 397, 408, 464.
102	Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 2381.22 Revised Codes of Montana, 1935, relating to gasoline license tax, the distribution of the proceeds of such tax and the purposes for which the same shall be used.".....	91, 114, 141, 163, 167, 201, 213, 259, 273, 296, 304, 326, 517, 537, 540.
103	Introduced by Committee on Education: A bill for an act entitled: "An act to repeal Sections 1181, 1182 and 1183 Revised Codes of Montana 1935, relating to school library funds."	91, 107, 118, 138, 141, 145, 199, 211, 300.
104	Introduced by Committee on Education: A bill for an act entitled: "An act to amend Section 1201.3 Revised Codes of Montana 1935, relating to state common school equalization fund and the distribution thereof."	91, 177, 202, 232, 249, 250, 361, 374, 382, 389, 406, 412, 555, 569, 594.
105	Introduced by Oliver: A bill for an act entitled: "An act to provide for the reduction of taxes on real and personal property, by imposing a tax upon the receipts from the retail sales of certain commodities, admissions and services as defined herein; to provide for permits to retailers; to pro-	

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	vide for the ascertainment, levy, assessment of collections of such tax; for the creation of a replacement fund account, the distribution and use of the revenue derived by the tax herein imposed; and the administration of said law: to provide certain deductions and exemptions; establishing a lien for the payment of said tax: to provide fines and penalties for the violations of the provisions of this act, to repeal all laws or parts of laws in conflict herewith and declaring this act to be an emergency."	92, 172.
106	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1941, and ending June 30, 1943."	96, 100, 115, 119, 138, 141, 148, 538, 542, 543, 554, 570, 571, 599, 613, 614, 616.
107	Introduced by Gebhardt, et al: A bill for an act entitled: "An act to amend Sections 5309.1 to 5309.36 inclusive of the Revised Codes of Montana of 1935, embodied in Chapter 404 thereof, relating to the creation and operation of housing authorities by adding thereto a new Section 5309.37 providing a method for dissolving a housing authority, and repealing all acts and parts of acts in conflict herewith."	101, 107, 128, 138, 141, 147, 280, 297, 300, 376.
108	Introduced by Cummings and Toole: A bill for an act entitled: "An act to amend Section 12297 of the Revised Codes of Montana of 1935, relating to the power of the County Commissioners to establish youth homes; qualifications of superintendent; funds for the administration of youth homes."	101, 142, 152, 174, 177, 180, 300, 316, 327, 333, 371, 376.
109	Introduced by Hammond, Williams, Gebhardt and Dillavou: A bill for an act entitled: "An act to amend Section 3 of Chapter 137 of the Session Laws of the State of Montana of 1937, as amended by Section 1 of Chapter 137 of the Session Laws of the State of Montana of 1939, relating to the payment of benefits under the unemployment compensation law by limiting the maximum total amount of benefits payable during a benefit year and the benefit payments in seasonal industries; to amend Section 19 of Chapter 137 of the Session Laws of the State of Montana of 1937, as amended by Section 6 of Chapter 137 of the Session Laws of the State of Montana of 1939, relating to the definition of words and phrases used	

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	in the unemployment compensation law by adding thereto a new Sub-section (s) defining "seasonal industry," "normal seasonal period or periods", "non-seasonal period or periods", and "seasonal worker", and providing for the determination of the normal seasonal period or periods of a seasonal industry; and repealing all acts and parts of acts in conflict herewith."	101, 313.
110	Introduced by Goodwin: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in or about bakeries; providing for exemptions therefrom; and providing penalties for a violation thereof and repealing all acts and parts of acts in conflict herewith."	102, 118, 130, 149, 152, 157, 260.
111	Introduced by Lippard: A bill for an act entitled: "An act to authorize the district court to investigate and order payment of money for the care and maintenance of a child from a parent or parents found guilty by said court of desertion, abandonment, failure to provide necessary subsistence to care for, neglect, or improperly training a minor child, and to provide a penalty for the violation of any order of the court made thereunder."	102, 195, 254, 268, 273, 296, 304, 326, 371.
112	Introduced by Clifford, Murray and Stevens: A bill for an act entitled: "An act providing for the construction and furnishing of a building as an adjunct to the state capital building to be known as the 'Montana Veterans and Pioneers Memorial Building', as a memorial to the war veterans and pioneers of the state, and to house the property and staff of the Historical Society of Montana, the Society of Montana Pioneers, Sons and Daughters of Montana Pioneers, and of the War Veterans Organizations set forth in Chapter 131, Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939; authorizing the issuance and sale of bonds by the state for such purpose; appropriating money to pay the expense of issuing said bonds; designating the funds from which said bonds shall be paid; providing for an interest in sinking fund; enumerating the powers and duties of the State Board of Examiners in carrying out the provisions of this act; authorizing the state to receive gifts for the erection or maintenance of said memorial building and repealing all acts and parts of acts in conflict herewith."	102, 113, 130, 144, 154, 211, 253, 260, 271, 296, 309, 502, 518, 520, 537, 540, 548.
113	Introduced by Byrne: A bill for an act entitled: "An act to amend Section 717 of the Revised Codes	

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	of Montana of 1935, relating to the form of application for absent voter's ballot."	102, 142, 152, 174, 177, 179, 391, 397, 408, 464.
114	Introduced by Nelson: A bill for an act entitled: "An act to insure the re-employment in state and civil employment of conscriptees and volunteers under the Federal Selective Training and Service Act of 1940, and National Guard and Reserve Officers Mobilization Act."	102, 113, 128, 138, 141, 148, 554, 562, 591, 597, 607, 608, 612.
115	Introduced by Cannon and Lowe: A bill for an act entitled: "An act to amend Section 3778.6 of the Revised Codes of Montana of 1935, classifying fur dealers' licenses and providing for the fees to be paid therefor."	102, 146, 152, 174, 177, 179, 260, 276, 277, 464, 469, 477, 495, 506, 538.
116	Introduced by Beazley: A bill for an act entitled: "An act authorizing and creating a lien for unpaid water service assessments, charges, rates, or rentals in the cities and towns of the State of Montana, and providing for the levy and collection of such assessments, charges, rates, or rentals as a tax against the real estate whereon or wherein such water service is rendered."	102, 109, 118, 147, 155, 196, 253, 254, 260, 343.
117	Introduced by Cummings, Clifford, Gunderson, Murray, Mernin, Beazley: A bill for an act entitled: "An act to provide for the examination and registration of painters; to provide for the supervision and inspection of painting, decorating and paper-hanging, and the adoption and enforcement of minimum standards therefor; to provide for fees for registration of painters and the issuance of permits and renewals thereof to qualified registrants; to provide for the creation by the commissioner of agriculture of a division of the Department of Agriculture, Labor and Industry to carry out such purposes; to provide for the appointment of "painting examiners"; to provide penalties for violations of the provisions of this act; and to provide for the adoption of any city or town within the State of Montana of the minimum rules and regulations passed by such division of the Department of Agriculture, Labor, and Industry and the prescription of rules and regulations in relation thereto, not inconsistent with any provision of this act."	103, 226, 261, 308, 317, 329, 419.

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118	Introduced by Lehrkind: A bill for an act entitled: "An act to amend Section 10536 of the Revised Codes of Montana, 1935, relating to privileged communications and the testimony of certain witnesses by adding thereto an additional subdivision exempting publisher, editors, reporters, or other persons connected with or employed upon a newspaper or news gathering agency."	103, 160.
119	Introduced by Williams, et al: A bill for an act entitled: "An act providing for the elimination of lands from drainage districts that have not or are not benefited by the same and providing for procedure relative thereto."	103, 194, 254, 273, 289, 293.
Sen. Sub. for H.B. 119	Introduced by Committee on Judiciary: A bill for an act entitled: "An act providing for the elimination of certain lands from drainage districts, and providing for procedure relative thereto."	539, 551, 553, 562, 563, 591, 607, 608, 612.
120	Introduced by Hammond: A bill for an act entitled: "An act to amend Section 557 of the Revised Codes of Montana of 1935, as amended by Section 5 of Chapter 172, Session Laws of the Twenty-fifth Legislative Assembly, 1937, relating to deputy registrars; providing for their appointment and compensation."	109, 142, 152, 184, 188, 220, 451, 452, 454, 481, 486, 501.
121	Introduced by Hammond: A bill for an act entitled: "An act to amend Section 593 of the Revised Codes of Montana of 1935, relating to the appointment and term of clerks of election, and appointment of judges of election to fill vacancies which may occur in any precinct within the county."	109, 312, 351, 366, 379, 393, 485.
122	Introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to appropriate twenty thousand dollars (\$20,000.00) per annum to aid in the continuation of the co-operative work now being carried on by the Montana Livestock Commission and the United States Department of the Interior, Fish and Wildlife Service, in the control of predatory animals in the State of Montana and said funds to be subject to the order of the Livestock Commission of the State of Montana."	109, 142, 152, 184, 188, 220, 464, 469, 478, 495, 506, 538.
123	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend Section 3 of Chapter 116 of the Laws of 1937 relative to the resignation of state, county and other officers	

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	who become candidates for another office and providing exceptions, by including district judges who become candidates for chief justice or associate justice of the supreme court in the exceptions to the act." -----	109, 118, 130, 149.
124	Introduced by Saylor, Nelson, Miller: A bill for an act entitled: "An act providing for the appointment of deputies to county officers in counties of the seventh class having less than 2,000 population, and repealing all acts and parts of acts in conflict herewith." -----	109, 172, 188, 253, 261, 266, 555, 564, 565, 594.
125	Introduced by Banks and Banking Committee: A bill for an act entitled: "An act to amend Section 4175 of the Revised Codes of Montana of 1935, relating to and defining wage brokers, and repealing all acts and parts of acts in conflict herewith." -----	110.
126	Introduced by Banks and Banking Committee: A bill for an act entitled: "An act to amend Section 6014.123 of the Revised Codes of Montana of 1935, relating to and prohibiting the giving of security for deposits by banks, and repealing all acts and parts of acts in conflict herewith." -----	110, 212, 254, 273, 281, 287, 413, 418, 421, 464.
127	Introduced by Banks and Banking Committee: A bill for an act entitled: "An act to amend Section 8312 of the Revised Codes of Montana of 1935, relating to pledgee's sale of securities, and repealing all acts and parts of acts in conflict herewith." -----	110, 195, 227, 253, 261, 266, 517, 537, 540.
128	Introduced by Goodwin, Oliver, Scofield: A bill for an act entitled: "An act to prohibit the employment of married women by the State of Montana, except in certain instances." -----	119, 172, 182, 202, 232, 249, 251, 413.
129	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 3566, relating to powers and duties concerning apiculture; Section 3566.1, relating to registration of colonies of honey bees—application blanks and contents; Section 3566.2, relating to registration certificates to be posted; Section 3566.3 relating to registration fee; Section 3566.4, relating to state beekeepers fund—composition and use of, and Section 3566.5, relating to penalties, conferring upon the state entomologist of Montana all powers and duties now by law	

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	given to the Commissioner of Agriculture, Labor and Industry, relating to apiculture; regulating the movement of bees in this state; providing any one who allows unsanitary conditions to exist in the operation of any honey house or building shall be guilty of a misdemeanor; requiring a certificate of health to accompany bees in combless packages brought into this state, and providing for the regulation of the movement of bees or equipment within the state, and providing for an appropriation of eight hundred and fifty dollars (\$850.00) to be taken out of moneys in the General Fund not otherwise appropriated to carry out the provisions of this act during the period of time commencing April 1, 1941, to June 30, 1941 and repealing all acts and parts of act in conflict herewith."	119, 344, 383, 395, 418, 424, 555, 569, 570, 594.
130	Introduced by Toomey and Spiegel: A bill for an act entitled: "An act to fix the annual compensation of the deputy secretary of state."	119, 125, 130, 149.
131	Introduced by Toomey, Byrne, Lehrkind, Hunter, Harrison: A bill for an act entitled: "An act to amend Section 2112.1 of the Revised Codes of Montana of 1935, relating to the assessment and taxation of the property of insurance companies required by law to have and maintain a legal reserve for the protection of policy holders."	120, 195, 249, 265, 328, 335, 354, 502, 504, 505, 517, 537, 540.
132	Introduced by Murray and Clifford: A bill for an act entitled: "An act to amend Sections 4824 and 4824.1 of the Revised Codes of Montana, 1935, creating and prescribing performance of the duties of the office of County Auditor, Sections 4741, 4867, 4873, 4875, and 4880 of the Revised Codes of Montana, 1935, and Section 466 of the Revised Codes of Montana, 1935, as amended by Chapter 66 of the Session Laws of 1939, relating to the classification of counties for the purpose of regulating the compensation and salaries of all county officers, not otherwise provided for, and the appointment and compensation of their duties, and for fixing the amount of such officers' and deputies' bonds; and repealing Sections 4870 and 4871 of the Revised Codes of Montana, 1935, and all other acts and parts of acts in conflict herewith."	120, 196.
133	Introduced by Byrne: A bill for an act entitled: "An act to amend Section 4761, Revised Codes of Montana of 1935, relating to monthly statement of the County Treasurer and quarterly settlement by	

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	County Treasurer, and repealing Section 2174, Revised Codes of Montana of 1935."	120, 196, 249, 268, 280, 287, 451, 461, 462, 468, 548.
134	Introduced by O'Brien, Freshman, Loughran, Ballard, White, Mernin, Spiegel, Curran: A bill for an act entitled: "An act to amend Sections 44 and 45 of the Revised Codes of Montana of 1935, relating to the apportionment of membership of the House of Representatives; providing for representative districts; their number and description and the number of members allotted each representative district."	120, 370, 371.
135	Introduced by O'Brien, Curran, Cummings, Ballard, White: A bill for an act entitled: "An act providing for the licensing, regulation and control of games of chance or other gambling devices; providing for a house gambling license and for a game or table license, and granting to the Montana Tax Board certain powers for the enforcement of this act, and creating the Montana Tax Board and making the members of the State Board of Equalization ex-officio the Montana Tax Board; making certain acts illegal and providing penalties therefor; prohibiting persons under the age of majority from playing at such games; fixing the amount of license fees to be paid for said licenses; providing for the disposal of the proceeds of fees collected under the provisions of this act; permitting cities, towns and counties to levy a license tax in addition to the state license; appropriating funds for the enforcement of the provisions of this act; and repealing all acts and parts of acts in conflict herewith."	120, 368.
136	Introduced by O'Brien, Curran, Cummings, Ballard, White: A bill for an act entitled: "An act to regulate, license, authorize and control games of chance, gambling games and gambling devices; providing for the operation thereof under licenses duly issued by the Montana Tax Board; providing for license tax and fixing the amount thereof; creating the Montana Tax Board and making the members of the State Board of Equalization ex-officio the Montana Tax Board; granting to the Montana Tax Board certain powers for the enforcement of this act; prohibiting persons under the age of majority from playing at or loitering about such games or from entering or being permitted to enter any house, room or premises wherein any gambling games or gambling devices are operated or conducted; permitting cities, towns and counties to levy a license tax in addition to the state licenses herein provided for; defining certain words and terms used in this act; prescribing the hours during which games may be played; providing for the suspension and revocation of	

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	licenses; authorizing the Montana Tax Board to prescribe and promulgate rules and regulations with statutory effect and granting to said board the power to strictly regulate and control licenses and licensees; providing for hearings by the board and appeals from decisions thereof; providing for the allocation of license fees; providing penalties for the violation of this act; declaring this act to be an emergency measure; and repealing all acts and parts of acts in conflict herewith."	120, 368.
137	Introduced by O'Brien, Curran, Cummings, Ballard, White: A bill for an act entitled: "An act relating to the licensing of slot machines: defining slot machines: providing for the creating of the Montana Tax Board and making the members of the State Board of Equalization ex-officio the Montana Tax Board: and providing the manner of licensing: allowing cities, towns and counties to license slot machines in addition to a state license: and for the disposition of fees: prohibiting the operation of slot machines without a license: prohibiting those under the age of majority to play such machines: providing penalties for the violation of this act: repealing all acts and parts of acts in conflict herewith."	121, 319.
Sub. 137	A bill for an act entitled: "An act to legalize, license and regulate certain pastime gambling games and gambling devices, including slot machines, punch boards, pin ball machines and similar devices; providing a license fee for the operation of such games and devices and fixing the amount and disposition thereof; defining the powers and duties of the state board of equalization in the administration of this act and in revoking licenses authorized by this act; prohibiting persons under the age of twenty-one years from playing at, loitering about such games or frequenting the premises where the same are conducted; authorizing counties to levy certain license taxes in addition to the state license tax herein provided for; defining certain words and terms used in this act; prescribing the hours during which such games or devices may be played or conducted; authorizing the state board of equalization to prescribe and promulgate rules and regulations for the enforcement of this act; providing for hearings and appeals from decisions thereof; providing penalties for the violation of this act; providing for local option by counties on the adoption of this act; repealing Section 11159 of the Revised Codes of Montana of 1935, as amended by Chapter 153, laws of the Twenty-fifth Legislative Assembly of Montana of 1937; repealing all of said Chapter 153 of the session laws of Montana of 1937 and all other acts and parts of acts in conflict herewith."	319, 322, 350, 375, 381, 387, 389.

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138	Introduced by O'Brien, Loughran, Freshman, Ballard, Cummings, White, Curran: A bill for an act entitled: "An act to amend Section 5766 of the Revised Codes of Montana of 1935, relating to the period of residence required to entitle plaintiff to divorce."	121, 193, 227, 253, 261, 266, 501.
139	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act relating to sites and buildings suitable for armory purposes and the leasing thereof by the State of Montana and by counties and other political sub-divisions and municipalities."	121, 147, 163, 178, 306, 396.
Sub. 139	A bill for an act entitled: "An act relating to sites and buildings suitable for armory purposes and the leasing thereof by the State of Montana and by counties and other political subdivisions and municipalities."	306, 361, 382, 415, 538, 543, 552, 564, 565, 594.
140	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 1 of Chapter 131 of the Laws of 1939 relating to an act creating a veterans' memorial fund; providing for the appointment and compensation of commissioners; defining duties of the commission; providing for the commission's control of the veterans' memorial fund; providing for the construction and maintenance of a veterans' memorial building."	121.
141	Introduced by McKenna: A bill for an act entitled: "An act to amend Section 2208.1 of the Revised Codes of Montana of 1935, as amended by Chapter 193 of the Laws of 1939, relative to the sale of tax lands, sale on terms, the taxation of lands sold, the leasing of lands and the exchange of unsold land, by authorizing the county to lease farming lands for a period that shall not extend over five years."	121.
142	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act relating to the Montana Armory Board, amending Section 4 of Chapter 161 of the Session Laws of 1939, validating acts, proceedings and bonds issued by it eligible for deposits to secure public funds and for the investment of funds of insurance companies, public sinking funds and public and private trusts, including the Montana trust and legacy fund."	121, 306.
Sub. 142	A bill for an act entitled: "An act to amend Section 1 of Chapter 161 of the laws of 1939 relating to the Montana armory board, increasing the membership of the Montana armory board to	

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	seven members, and amending Section 3 thereof providing that four members of said board shall constitute a quorum at all meetings and amending Section 4 thereof, to designate to whom leases shall be made and by whom and for what purpose."	306, 341, 365, 379, 390, 394, 539, 564, 565, 594.
143	Introduced by Gunderson: A bill for an act entitled: "An act to amend Chapter 129 of the Session Laws of 1939, of the Public Welfare Act of the State of Montana, relating to the definition of ward Indians."	121, 314.
144	Introduced by James, Scott, LaBonte, Laubach, Tyler, Beck, Hageman, Newell, Allen: A bill for an act entitled: "An act to amend Section 1010-A and Section 1262.44-A Revised Codes of Montana 1935, as enacted by Chapter 217 of the Session Laws of the State of Montana, 1939, and to amend Sections 1013, 1262.81 and 1263.8 Revised Codes of Montana 1935, all relating to the attendance of elementary and high school pupils at schools outside of the districts and counties in which they reside; providing for the payment of transportation, or board, rent and tuition for such pupils, for the adoption of budgets therefor and for transfer of budget appropriations and apportionments to the school districts in which they attend school."	121, 352.
Sub. 144	A bill for an act entitled: "An act to amend Section 1010-A and Section 1262.44-A Revised Codes of Montana, 1935, as enacted by Chapter 217 of the session laws of the State of Montana, 1939, and to amend Sections 1013, 1262.81 and 1263.8 Revised Codes of Montana 1935, all relating to the attendance of elementary and high school pupils at schools outside of the districts and counties in which they reside: providing for the payment of transportation, or board, rent and tuition for such pupils, for the adoption of budgets therefor and for transfer of budget appropriations and apportionments to the school districts in which they attend school."	352, 409, 420, 437, 511, 514, 518, 543, 545, 568, 592, 598, 613, 614, 616.
145	Introduced by Wilson, Reed and Scofield: A bill for an act entitled: "An act providing for the licensing and bonding of livestock dealers; defining livestock dealers under the provisions of this act; providing for the collection of fees, and providing for the enforcement of this act and penalties for the violation thereof."	122.
146	Introduced by Dillavou, Beazley, Vanek, Williams, Martin of Madison, Toomey, Curran, Nash: A bill for an act entitled: "An act providing for the	

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	retirement of municipal water works employees of incorporated cities and towns in the State of Montana; providing for the creation of a fund to be known as the 'water works employees retirement fund' in such cities and towns; providing for the monthly payment of retirement salaries to the said water works employees in consideration for past services and for any future services that may be rendered in an advisory capacity; providing for the suspension or discharge of incompetent employees; providing for a method of filing complaints against employees and providing for the arbitration and settlement of charges filed against any employee and prohibiting the final discharge of employees without a hearing; and repealing all acts or parts of acts in conflict herewith."	122, 182, 202, 268, 280, 288, 442.
147	Introduced by Oliver: A bill for an act entitled: "An act to repeal Section 11 of Part 3 of Chapter 82 of the Laws of the 25th Legislative Assembly pertaining to the estates of recipients of old-age pensions."	122, 320.
148	Introduced by Aronson and Murray: A bill for an act entitled: "An act to amend Section 2, Section 4, and Section 5 of Chapter 198 of the Session Laws of the Twenty-sixth Legislative Assembly relating to the regulating of the speed of motor vehicles on the highways of the State of Montana and fixing exceptions thereto for the purposes of this act."	122, 153, 165, 202, 235, 251, 451.
149	Introduced by Vanek by request: A bill for an act entitled: "An act to amend Section 1760 of the Revised Codes of Montana of 1935, as amended by Chapter 138 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same, and fees for trailers and semi-trailers, so as to provide that fifty (50) per cent of the net fee derived from the registration of motor vehicles, the owners of which reside within the boundaries of any incorporated city or town of the State of Montana shall be paid over by the County Treasurer to the Treasurer, or other authorized fiscal officer, of such incorporated city or town for the use of the street fund of such city or town and to be controlled and disbursed by such city or town as a part of its street fund."	131, 206, 226.
150	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act regulating the operation of music boxes, mechanical player pianos and other automatic machines and de-	

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	vices for the production of music, pictures or speech; providing for the licensing of same by the State Board of Equalization; fixing the amount of such license fees; defining the terms used in this act; providing penalties for the violation of this act; authorizing confiscation of unlicensed music boxes, pianos, machines and devices and making certain provisions of the Revised Codes of Montana of 1935 applicable to such confiscation proceedings."	132, 264, 280.
151	Introduced by Toomey by request: A bill for an act entitled: "An act relating to public health and sanitation, defining mattresses, regulating the making, remaking and sale thereof, prohibiting the use of insanitary or unhealthful materials therein, providing for the proper labeling thereof, and providing penalties for violations thereof."	132, 249, 261, 273, 289, 294, 451, 461, 462, 468, 538.
152	Introduced by Rice: A bill for an act entitled: "An act to prohibit any agent of the state, person, persons, department or other agency of the state to pay out any public moneys or funds for any insurance on any buildings or other property belonging to or under the control and use of the state, except motor propelled vehicles owned by the state and being operated for the benefit of the state or any department, institution, board or other agency of the state, and providing that in case any building or other property belonging to the state or any agency thereof shall be damaged as herein set forth, that the department or agency having control or custody of such property shall certify to the Board of Examiners the amount of such damage, and providing that the Board of Examiners may contract for the repair of any buildings so damaged, and appropriating one hundred thousand dollars (\$100,000.00) from the general fund, or so much thereof as may be necessary to pay for any repairs that may be necessary as a result of any such damage."	132, 144, 153, 259, 260, 274, 285, 335, 346, 356, 365.
153	Introduced by Antrim: A bill for an act entitled: "An act to amend Section 2778.6 and 2778.7 of the Revised Codes of Montana, 1935, relating to the protection of forest lands within the State of Montana; duty to remove slashings, slashings lien."	132, 142, 163, 173, 184, 211, 222, 391, 408, 409, 418, 464.
154	Introduced by Parker of Flathead: A bill for an act entitled: "An act limiting the civil liability of owners and operators of motor vehicles for personal injury or property damage to guests,	

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	repealing Sections 1748.1 through 1748.4, Revised Codes of Montana, 1935, and all other acts or parts of acts in conflict herewith."	132, 193.
155	Introduced by Allen: A bill for an act entitled: "An act to repeal Sections 1763.9 and 1763.10 of the Revised Codes of Montana of 1935, relating to the auto theft fund and the employment of a deputy by the Registrar of Motor vehicles to enforce the provisions of the motor vehicle registration act."	132, 153, 165, 202, 211, 231, 300.
156	Introduced by Antrim: A bill for an act entitled: "An act to amend Section 3745 of the Revised Codes of Montana 1935, providing for a guide's license fee, the qualifications of guide, the content of the license, and providing reciprocity insofar as residential requirements are necessary to states granting reciprocity to guides licensed in the State of Montana, limiting such reciprocity to counties bordering a state adjacent to the State of Montana."	132, 182, 188, 232, 249, 252, 539, 550, 556.
157	Introduced by Toomey: A bill for an act entitled: "An act to amend Sections 9367, 9369, 9370 and 9371, Revised Codes of Montana, 1935, relating to findings of fact and conclusions of law and entry of judgment thereon, when reversals may be had for defective findings, exceptions thereto and proceedings thereon."	132, 193, 254, 273, 281, 288, 442.
158	Introduced by Toomey: A bill for an act entitled: "An act to amend Section 9389, Revised Codes of Montana, 1935, relating to bills of exception made at time of ruling and also Section 9390, Revised Codes of Montana, 1935, relating to bills of exception made after judgment; providing when bills of exception need not be, and when bills must be, prepared, contents, settlement and authentication thereof, and to transcripts on appeal."	133, 192, 254, 273, 289, 294, 442.
159	Introduced by Toomey: A bill for an act entitled: "An act to amend Section 9416, Revised Codes of Montana, 1935, relating to issuance of executions on judgments, and stay of the operation and effect thereof, and providing when the district or supreme court may preserve the subject matter of an action during the course thereof and on appeal, and clarifying the law relating thereto."	133, 192, 254, 273, 289, 293, 442.
160	Introduced by Toomey: A bill for an act entitled: "An act to improve, simplify and expedite the administration of justice in the supreme, district and	

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	justice courts of the State of Montana by authorizing the supreme court of the State of Montana to prescribe general rules for the district and justice courts, the forms of process, writs, pleadings, motions, orders and the practice and procedure in civil actions at law, including provisional remedies, trials, executions, special proceedings, and all writs, in all cases, subject to the provisions of the constitution of the State of Montana, all to the end of abrogating multiple systems of civil procedure, securing in fact one form of civil action, eliminating litigation of procedure instead of substantive rights, and diminishing the burdens of litigation; providing for collaboration of district judges and court officers therein and to repeal Chapters 23 to 89, (embracing Sections 8995 to 9835) inclusive and Chapters 91 to 94, (embracing Sections 9836 to 9867) inclusive, of the Code of Civil Procedure, Revised Codes of Montana, 1935, as amended or supplemented, effective at the operative date of said rules in 1943."	133, 196, 254, 277, 295, 303, 442.
161	Introduced by Toomey: A bill for an act entitled: "An act to amend Sections 9399 and 9400, Revised Codes of Montana, 1935, relating to motions for new trial, abolishing notices of intention of motion for new trial, and regulating proceedings on motion, hearings and record thereon."	133, 193, 254, 277, 295, 303, 442.
162	Introduced by the Committee on Agriculture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 4065 relating to the bond and license of real estate brokers; Section 4068 relating to non-resident applicants for real estate broker's license."	142, 193, 233, 234, 265.
163	Introduced by Stevens: A bill for an act entitled: "An act to provide for the raising of revenue for the payment of old age pensions by imposing a tax upon the privilege of engaging in the business of retailing tangible personal property; by imposing a tax upon the privilege of engaging in business involving admission tickets, charges, and fees to places of amusement and athletic events and imposing a tax upon transactions involving services of gas, electricity, water, communication and transportation; providing for the levy, assessment, computation, and collection of such tax and its disposition; providing for certain refunds, exemptions and deductions; defining terms; prescribing duties and powers of the State Board of Equalization for the operation and enforcement of this act; prescribing penalties for the violation of the provisions of this act, and repealing all acts and parts of acts in conflict herewith."	142, 306.

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164	Introduced by Morrow: A bill for an act entitled: "An act providing for the release of sureties on official bonds of all state, county, and other officers, and from the bonds of executors, administrators, and guardians and other undertakings, and prescribing the procedure therefor; providing that an officer failing to file a new undertaking thereby forfeits office; prescribing the liability of and amount of the new undertaking; amending Sections 494, 502 and 503 and repealing Sections 495 to 501 inclusive, of the Revised Codes of Montana, 1935." -----	143, 193, 254, 265, 280, 316, 329, 539, 564, 565, 594.
165	Introduced by Stevens, McGreevey, Parker of Cascade, Castles, Fewkes, Goodwin, Zuck, Davey, Tyler, Parker of Wibaux, Scofield, Ahern, Dahlquist, Beazley, Gunderson, O'Brien, Mernin, McKenna, Hess, Banka, Bjorneby, Spiegel, Phelan, Oliver, Petersen, Aronson, Holding, Martin of Fergus, McDaniel, Murray, Clifford, Curran, Cummings, Esp, Lippard, Ballard, Nash, Loughran, Flook, Harken, Toole and Freshman: A bill for an act entitled: "An act to appropriate money to the State Department of Public Welfare for the payment of old age assistance under the provisions of Chapter Eighty-two, Laws of 1937, as amended by Chapter One Hundred Twenty-nine, Laws of 1939, for the period beginning July 1, 1941, and ending June 30, 1943." -----	143, 345, 419.
166	Introduced by Committee on Labor: A bill for an act entitled: "An act to amend Section 1 of Chapter 199 of the Session Laws of 1939; prescribing the hours of labor for persons employed in or about restaurants, cafes, lunch counters and other eating establishments; providing for the six day work week; providing for exemptions therefrom; repealing all acts and parts of acts in conflict herewith." -----	143, 153, 165, 202, 211, 234, 419.
167	Introduced by Busch: A bill for an act entitled: "An act to amend Section 2201 of the Revised Codes of Montana of 1935, relating to the time of redemption from tax sales and decreasing the time therefor." -----	143, 193, 249, 268, 280, 288, 413, 418, 421, 476.
168	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to fix the standard classes and grades of mustard seeds, defining same; prescribing the powers and duties of the Commissioner of Agriculture in connection with the administration and enforcement of the act; defining damaged seeds, dockage, foreign material, fixing a basis of determination of dockage, de-	

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	fining percentages of moisture and percentage of dockage; fixing test weight per bushel; defining certain special grades and providing for a schedule of fees, the disposition of funds and penalties for violation."	143, 165, 182, 213, 226.
Sub. 168	Entitled: "An act to fix the standard classes and grades of mustard seeds, defining same: prescribing the powers and duties of the Commissioner of Agriculture in connection with the administration and enforcement of the act; defining damaged seeds, dockage, foreign material, fixing a basis of determination of dockage, defining percentages of moisture and percentage of dockage; fixing test weight per bushel; defining certain special grades and providing for a schedule of fees, the disposition of funds and penalties for violation."	226, 254, 280, 301, 304, 391, 408, 409, 418, 464.
169	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend Section 4250 of the Revised Codes of Montana, 1935, as amended by Chapter 146 of Session Laws of Montana, 1939, relating to weights and measures."	143, 166, 177, 202, 211, 234, 314, 323, 371, 376.
170	Introduced by Morrow: A bill for an act entitled: "An act to amend Section 5859 of the Revised Codes of Montana of 1935, relating to the consent of a child's parents in adoption proceedings by providing for service of a copy of the petition for adoption on parents who are non-residents of the state by publication, and authorizing a court to make a valid and binding order of adoption without written consent of the parents in such cases, and providing for appeals from the order of the court."	143, 317, 361, 382, 406, 414, 464, 500, 555, 564, 565, 594.
171	Introduced by Laubach: A bill for an act entitled: "An act to amend Section 3656, Revised Codes of Montana of 1935, providing for the appointment of deputy state fish and game wardens."	144, 195, 254, 280, 295, 303, 554.
172	Introduced by James by request: A bill for an act entitled: "An act to amend Section 11371 of the Revised Codes of Montana of 1935, defining grand larceny by including in said definition the taking of wheat, flax or mustard seed."	144, 259, 269, 308, 317, 327, 371.
173	Introduced by the Committee on Social Security: A bill for an act entitled: "An act to amend Sections 5, 12, 13 and 15 of Chapter 137 of the Ses-	

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	<p>sion Laws of the Twenty-fifth Legislative Assembly of the State of Montana, and to amend Sections 3, 4, 7, 8, 14 and 19 of Chapter 137 of the Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, as amended by Chapter 137, Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, being the 'unemployment compensation law', entitled: An act providing for unemployment compensation; creating a state unemployment compensation commission; establishing an unemployment compensation fund, and providing for the administration, distribution and investment thereof; providing for the assessment and collection of contributions upon payrolls of employers; creating a state employment service and providing an appropriation therefor; providing penalties for violations."</p>	<p>144, 343, 383, 407, 417, 420, 421, 440, 441, 539, 542, 544, 600, 612.</p>
174	<p>Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of, and other purposes as designated herein, for the several units of the Greater University of Montana, known as the Montana State University, Montana State College, experiment stations and sub-stations and extension service thereof, Montana School of Mines, Montana State Normal College at Dillon, Eastern Montana State Normal School at Billings, and Northern Montana College at Havre, and for student fare refunds for the period beginning July 1, 1941, and ending June 30, 1943."</p>	<p>144, 256, 257, 295, 316, 350, 356, 518, 534, 546, 593, 594, 605, 611, 612, 614, 623, 624, 625.</p>
175	<p>Introduced by the Committee on Agriculture: A bill for an act entitled: "An act to amend Section 3561 of the Revised Codes of Montana of 1935 relating to the powers and duties of the Department of Agriculture, Labor and Industry extending its powers and duties to include the investigation of the practices and methods relating to the growing, sale, processing or refining of beets used for sugar."</p>	<p>144, 182, 202, 253, 265, 267, 568, 592, 593, 602, 603, 606.</p>
176	<p>Introduced by Anson: A bill for an act entitled: "An act to amend Section 4917 of the Revised Codes of Montana of 1935, relating to the fees of county clerks in the State of Montana."</p>	<p>147, 171, 188, 253, 269, 272, 485, 494, 496, 513, 514, 524, 599.</p>

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177	Introduced by Anson: A bill for an act entitled: "An act to amend Section 2524 of the Revised Codes of Montana of 1935, relating to certified copies of records—fees."	147, 342, 364, 383, 389, 406, 410, 464, 481, 486, 501.
178	Introduced by Beazley, Toole, O'Connor, Newell, Wilson: A bill for an act entitled: "An act amending Section 3524 Revised Codes of Montana 1935, relating to safety requirements restricting the time of blasting in coal mines."	147, 284, 285, 345.
179	Introduced by Beazley, Toole, O'Connor, Newell, Wilson: A bill for an act entitled: "An act to amend Section 2841 Revised Codes of Montana 1935, as amended by Section 1, of Chapter 119 laws of Montana, 1939, relative to the employers engaged in hazardous industries election to be bound by the workmen's compensation act by making it mandatory and compulsory for employers and employees engaged in coal mining to be covered by one of three plans of the workmen's compensation act and repealing all acts and parts of acts in conflict herewith."	156, 252, 261, 280, 308, 323, 348, 451, 453, 539, 549, 558, 569, 570, 594.
180	Introduced by Committee on Judiciary: A bill for an act entitled: "An act relating to the registration of electors who are absent from the county of their legal residence during the period provided by law for registration; permitting such electors to register without returning to the county and providing punishment for violation of this act."	156, 192, 254, 268, 280, 289, 451.
181	Introduced by Cannon and Mernin: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the bureau of agriculture and/or bureau of labor and industry."	156, 361, 383, 421, 429, 438, 439, 464.
182	Introduced by Committee on Education: A bill for an act entitled: "An act to amend Section 1006 of the Revised Codes of Montana, 1935, relating to meetings of the board of school trustees to provide for mileage for school trustees for attending meetings, and setting the maximum number of meetings for which trustees will be paid."	156, 171.
183	Introduced by Armstrong, Hazelbaker, Williams, Burke, Hunter: A bill for an act entitled: "An act creating the Montana Board of Medical Exam-	

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	<p>iners, providing for the qualifications, appointments and terms of members thereof, the organization of said board and records thereof; defining the powers and duties of the board, and investing it with authority to supervise and regulate the practice of the profession of medicine and surgery in the State of Montana through the system of licensing and otherwise; authorizing the board to establish a system of examinations for applicants to practice medicine and surgery in Montana, providing for reciprocity under certain circumstances and prescribing certain exceptions; authorizing said board to revoke or suspend licenses, once granted, and to reinstate or restore licenses, and providing judicial review of actions of the board by petition to the district courts of Montana; providing for the recordation of certificates and licenses issued by the board; establishing a system of annual registration, applicants thereof, and prescribing fees to be paid by applicants under the terms of the act; providing for certificates of annual registration; providing for violation of this act, and providing for injunctions to restrain the unlawful practice of medicine; containing a separability clause, and repealing Sections 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, and 3124, Revised Codes of Montana, 1935, and all acts and parts of acts in conflict with this act."</p>	<p>156, 195, 254, 328, 346, 357, 518, 520, 563, 592, 600, 604, 607, 613, 614, 616.</p>
184	<p>Introduced by Stevens: A bill for an act entitled: "An act creating the Montana State Board of Basic Sciences, providing for appointment of members therefor and qualifications of such members, and for the organization of such board, prescribing fees for applicant; providing a system of examination by said board; issuance of certificate of ability and reciprocity certificates; providing for court review of board actions; and forbidding any persons practicing the healing act without receiving a certificate of ability in the basic sciences; prescribing exceptions, and providing penalties for violation of said act."</p>	<p>156, 269.</p>
185	<p>Introduced by Aronson, Horrigan, Gebhardt, O'Connor: A bill for an act entitled: "An act to regulate, license, authorize and control games of chance, gambling games and gambling devices; providing for the operation thereof under licenses duly issued by the State Board of Equalization; providing for a license tax and fixing the amount thereof; granting to the State Board of Equalization certain powers for the enforcement of this act; prohibiting persons under the age of twenty-one years from playing at or loitering about such games or from entering or being permitted to enter any house, room or premises wherein any</p>	

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	gambling games or gambling devices are operated or conducted; permitting cities, towns and counties to levy a license tax in addition to the state licenses herein provided for; defining certain words and terms used in this act; prescribing the hours during which games may be played; providing for the suspension and revocation of licenses; authorizing the State Board of Equalization to prescribe and promulgate rules and regulations with statutory effect and granting to said board the power to regulate and control licenses and licensees; providing for hearings by the board and appeals from decisions thereof; providing for the allocation of license fees; providing penalties for the violation of this act; and repealing all acts and parts of acts in conflict herewith."	160, 318.
Sub. 185	A bill for an act entitled: "An act to legalize, license and regulate certain kinds of gambling games and gambling enterprises within the State of Montana; defining the meaning of gambling games, gambling enterprises and other words and terms used in this act; providing a license fee for the operation of such games and enterprises and fixing the amount and disposal of such fees; defining the powers and duties of the state board of equalization in the administration and enforcement of this act and in the suspension or revocation of such licenses; prohibiting persons under the age of twenty-one years from playing at, loitering about such games or frequenting the premises where such games or enterprises are conducted; authorizing counties to levy a license tax in addition to the state license tax herein provided for; prescribing the hours during which such games or enterprises may be played or conducted; authorizing the state board of equalization to prescribe and promulgate rules and regulations for the enforcement of this act; providing for hearings by the board and appeals from decisions thereof; providing penalties for the violation of this act; providing for local option by counties in relation to the adoption of this act; repealing Section 11159 of the Revised Codes of Montana of 1935, as amended by Chapter 153 of the laws of the Twenty-fifth Legislative Assembly of Montana of 1937, and repealing all of said Chapter 153; repealing Sections 11160, 11180 to 11183, inclusive, of the Revised Codes of Montana of 1935, and all other acts and parts of acts in conflict herewith."	318, 319, 322, 350, 375, 381, 383.
186	Introduced by Aronson, Horrigan, Gebhardt, O'Connor: A bill for an act entitled: "An act relating to the licensing of slot machines, bank nights, wire rooms, pin ball, marble or bagetelle games, or other similar games; providing the manner of licensing; allowing cities, towns, and counties to	

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	issue licenses; and for the disposition of fees; prohibiting the operation of such games without a license; prohibiting those under the age of twenty-one years to play such games; providing penalties for the violation of this act; repealing all acts and parts of acts in conflict herewith."	161, 368.
187	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain of the state's institutions, for the period beginning July 1, 1941, and ending June 30, 1943."	161, 166, 182, 202, 227, 250, 485, 494, 495, 506, 543, 555, 600, 612.
188	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to repeal Chapter 123 of the regular session of the Twenty-sixth Legislative Assembly, 1939, relating to copyrights and public performing rights in musical compositions, and dramatic musical compositions, the registration thereof and providing penalties for the violation thereof."	167, 193, 227, 253, 261, 267, 391, 397, 408, 492.
189	Introduced by Murray, Clifford and Mernin: A bill for an act entitled: "An act determining employment standards in the State of Montana; providing for exemptions and penalties and repealing all acts and parts of acts in conflict herewith."	167, 310, 311, 322.
190	Introduced by Burke: A bill for an act entitled: "An act to amend Section 5277.3 Revised Codes of Montana, 1935, so as to make the special improvement district revolving fund available also for the payment of warrants issued for the construction of sidewalks and curbs without the formation of a special improvement district under the provisions of Section 5244 Revised Codes of Montana, 1935."	167, 339.
191	Introduced by Committee on Labor: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 3084 relating to the semi-monthly payment of wages; Section 3085 relating to the penalty for Section 3084; Section 3086 relating to discharged employees."	167, 197, 298, 326, 350, 367, 377, 538, 542, 548, 564, 565, 594.
192	Introduced by Murray: A bill for an act entitled: "An act prohibiting discrimination against persons in employment on account of age."	167, 278.

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193	Introduced by Cummings by request: A bill for an act entitled: "An act to amend Section 1 of Chapter 205 of the Laws of the Twenty-sixth Legislative Assembly, 1939, relating to the reinstatement of police officers in cities in the State of Montana."	167, 318.
194	Introduced by Committee on Horticulture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 3633.4 as amended by Chapter 71 of the Session Laws of 1937 relating to the handling of farm products and the grading and labelling, tagging and branding thereof; Section 3633.9 relating to the intent of the act."	167, 188, 202, 253, 260, 336, 383, 394, 414, 427, 539.
195	Introduced by Committee on Horticulture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 2443.1 relating to dealers at wholesale; Section 2443.4, relating to license of a dealer at wholesale; Section 2443.8 and Section 2443.9 both relating to the powers and duties of the Commissioner of Agriculture in connection with dealers at wholesale and Section 2443.10 relating to review of orders of the Commissioner of Agriculture."	168, 188, 211, 253, 260, 339.
196	Introduced by Burke and Toole: A bill for an act entitled: "An act to amend Section 10,375, of the Revised Codes of Montana, 1935, relating to the termination of life estates, and providing for the procurement of a court decree declaring the termination of a joint tenancy."	168, 298, 326, 350, 363, 377, 539.
197	Introduced by Busch: A bill for an act entitled: "An act to prohibit the sale, offering or exposing for sale of fireworks, and to regulate the manner of their use, and to provide penalties for the violation of the provisions of the act."	168, 279.
198	Introduced by Goodwin: A bill for an act entitled: "An act relating to insurance covering damage to motor vehicles and insuring against loss or legal liability to persons or property caused by motor vehicles, and to provide for the regulation and control of rate of premiums thereon, and to prevent discrimination therein."	168, 265.
199	Introduced by Ballard: A bill for an act entitled: "An act to amend Section 1520 of the Revised Codes of Montana of 1935 relating to the admission of patients to the Montana State Tuberculosis Sanitarium; eliminating the qualification of citizenship as a prerequisite to such admission; pro-	

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	viding for the admission of residents of the State of Montana; and repealing all acts and parts of acts in conflict therewith."	168, 194, 195, 254, 280, 289, 294, 391.
200	Introduced by Ahern and Hess: A bill for an act entitled: "An act creating a public water supply personnel examining board of the State Board of Health of the State of Montana, defining its duties and providing for the certification of superintendents, engineers and operators for all public water works systems, municipally or privately owned."	168, 305.
201	Introduced by Dillavou: A bill for an act entitled: "An act to amend Section 4584 of the Revised Codes of Montana of 1935, as amended by Chapter 53 of the Session Laws of 1939, relating to the assessment and apportionment of costs of rural improvement districts."	168, 196, 258, 269, 317, 323, 334, 464, 483, 539, 549, 557, 594, 595, 600.
202	Introduced by Committee on Judiciary: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana making the terms of office of certain elective and appointive officers, not enumerated in Sections 4 and 5 of Article XVI of the said Constitution, as amended by the adoption of the provisions of Chapter 93 of the Sessions Laws of 1937, conform to such amendment by the amendment of Sections 19 and 20 of Article VIII and Section 6 of Article XVI of said Constitution, relating to the terms of office of county auditors, county attorneys, justices of the peace, constables and municipal officers."	168, 340, 379, 395, 406, 407, 408, 415, 417, 538, 543, 545, 564, 565, 594.
203	Introduced by Dillavou, Anderson, Byrne, Antrim, Tonn, and Parker of Cascade: A bill for an act entitled: "An act to provide for a system of personnel administration in state employment; to create a state personnel service commission, and a director of personnel; and defining the powers and duties and proceedings of such commission and director; authorizing the commission and director created hereunder to promulgate regulations and rules for the administration of its functions; providing for the compensation of the director and commissioners created hereunder; and providing funds for the operation of the personnel department."	168, 178, 297, 366, 389, 396, 419.

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204	Introduced by Kemmis: A bill for an act entitled: "An act to amend Section 3691 of the Revised Codes of Montana of 1935, enumerating certain animals which may be hunted without a license providing that certain persons may take certain game without a license, and that certain persons shall be entitled to a license without charge.".....	169, 196, 249, 268, 280, 292, 554, 562, 591, 597, 607, 608, 612.
205	Introduced by Lippard: A bill for an act entitled: "An act relating to and regulating the sale of oleomargarine; defining oleomargarine and a retailer and a wholesaler thereof; providing for and fixing the amount of license to sell or exchange oleomargarine and for the revocation thereof; providing for quarterly report to the department of Agriculture, Labor and Industry by persons handling oleomargarine; levying a tax per pound on oleomargarine handled, and providing for stamps and the manner of collecting such tax; providing for bond to be furnished by wholesaler; providing for the redemption of unused stamps; designating the disposition of funds; fixing a penalty; providing for the enforcement of this act and repealing all acts in conflict."	169, 264, 317.
206	Introduced by Zuck, et al.: A bill for an act entitled: "An act providing for instruction in visual education in the public elementary and secondary schools of the state; providing for the preparing of courses of instruction therein; for the appointing of a supervisor of visual education; for the establishing and appropriating funds to carry out the provisions of this act."	172, 298, 326, 350, 352, 359, 464, 469, 486, 488, 495, 506, 538.
207	Introduced by O'Connor and Byrne: A bill for an act entitled: "An act authorizing and empowering the Governor of the State of Montana, with the aid of an advisory committee, to make a comprehensive and constructive study of the finances, business, affairs, and policies of the State of Montana, and of its several offices and of all of its bureaus, boards, commissions, departments and institutions for the purpose of disclosing whether there exist any abuses, inefficiency, duplication of work or services, or undue, unnecessary, extravagant or wasteful expenditures of state or public money or funds, and for the purpose of disclosing whether any of such offices, bureaus, boards, commissions, departments or institutions may be abolished, reorganized or consolidated for the purpose of doing away with duplication of work or services, reducing expenditures of state and public money or funds, and generally simplifying	

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	the operations of the state government, its institutions and departments, and providing some method or system for the conduct of its finances, business, affairs and policies in a more uniform, orderly, business-like and economical manner; authorizing the governor to employ experts to make such study; Providing for reports to be made to the Governor during the progress of such study and after the same is fully completed; authorizing the Governor, with the advice of the advisory committee, to adopt and put into effect any recommendation or recommendations contained in any report, when approved by him, and when no legislative action is necessary therefor; providing for a report by the governor, after the completion of such study, to the Twenty-eighth Legislative Assembly, providing for an appropriation to effect the purposes of this act; providing that the Governor may authorize the issuance of subpoenas and administration of oaths, repealing all acts in conflict herewith." -----	173, 256, 274, 308, 323, 348, 451, 453, 454, 481, 486, 504.
208	Introduced by Hunter, Oliver, Parker of Flathead, LaBonte, Anson, Cannon, Lippard, Tyler and Lynch: A bill for an act entitled: "An act to appropriate money for the Montana State Park Commission to provide for expenditures that said commission is authorized to incur for the period beginning July, 1941, and terminating June 30, 1943." -----	178, 188, 213.
209	Introduced by Murray, Beazley, McGreevey, Clifford: A bill for an act entitled: "An act to amend Section 9429 of the Revised Codes of Montana of 1935 relating to exemption of earnings of judgment debtors." -----	178, 212.
210	Introduced by Scott: A bill for an act entitled: "An act repealing Chapter 96 of the political Code of the Revised Codes of Montana of 1935, being Sections 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047 and 1048, relating to rural school districts." -----	178, 313, 351, 366, 379, 394, 539, 550, 556, 602.
211	Introduced by Toole and Toomey: A bill for an act entitled: "An act to amend Section 5939 of the Revised Codes of Montana, 1935, relating to the payment of dividends by directors of corporations." -----	178, 297, 321, 340, 352, 372, 451, 461, 462, 468, 538.
212	Introduced by Toole and Toomey: A bill for an act entitled: "An act authorizing directors of a corporation to amend its articles of incorporation to decrease its capital stock by cancelling all or	

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	any part of the shares of stock held in the treasury of the corporation."	178, 258, 278, 317, 323, 334, 451, 461, 462, 468, 501.
213	Introduced by Committee on Federal Relations: "A bill for an act to appropriate money for the sponsorship of the writers' project, a division of the works project administration, by the State of Montana."	178, 188.
214	Introduced by Toole, Cummings, Stevens, Gunder-son, Parker of Cascade: A bill for an act entitled: "An act to appropriate money for the purchase and placing of a suitable statue of Charles Marion Russell in the National Statuary Hall in the national capitol building at Washington, D. C."	178, 188, 213.
215	Introduced by Committee on Education: A bill for an act entitled: "An act to amend Section 1200.4 of the Revised Codes of Montana of 1935, as amended by Chapter 38 of the Session Laws of 1937, and as amended by Chapter 169 of the Ses- sion Laws of 1939 creating a state public school general fund and providing for the disposal of school moneys."	179, 212, 283.
216	Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Sec- tion 2761 of the Revised Codes of Montana of 1935 relating to tax levy for the purpose of maintaining the department of state fire marshal and for the expenditure of funds; and repealing of acts in conflict."	179, 264, 285, 328, 335, 353, 485, 495, 506, 571.
217	Introduced by Committee on Social Security: A bill for an act entitled: "An act to amend certain sec- tions and subsections of Chapter 82 of the 1937 Session Laws, being the Public Welfare Act of the State of Montana, as follows: Subsection (c) of Section III of Part I, as amended by Section 1 of Chapter 129 of the 1939 Session Laws; Sub- section (b) of Section VI of Part I, as amended by Section 2 of Chapter 129 of the 1939 Session Laws; Subsection (b) of Section XI of Part I, as amended by Section 8 of Chapter 129 of the 1939 Session Laws; Subsection (a) of Section II of Part II, as amended by Section 11 of Chapter 129 of the 1939 Session Laws; Section VI of Part II, as amended by Section 15 of Chapter 129 of the 1939 Session Laws; Section VII of Part II; Section IX of Part II, as amended by Section 14 of Chapter 129 of the 1939 Session Laws; Section IV of Part V; Subsection (h) of Section IV of Part VI; and to repeal Subsection (a) of Section IV of Part VI; all of which sections, subsections and amendments	

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	thereto relate to the general welfare and the social security of the people of the State of Montana.".....	179, 352, 396, 407, 417, 429, 438, 539, 542, 544, 564, 565, 594.
218	Introduced by Lippard: A bill for an act entitled: "An act to amend Sections 1 and 2 of Chapter 94 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the amount of license tax levied and to be collected and paid on all persons, associations, or corporations owning or operating a telephone business in this state."	182, 368.
219	Introduced by Laubach, Ahern, Reed, Hazelbaker, Stevens, Nash: A bill for an act entitled: "An act to amend Section 1466 of the Revised Codes of Montana, 1935, relating to the compulsory education of deaf and blind persons by adding a new paragraph thereto providing for the duty of the president of the Montana school for the deaf and blind to investigate persons reported by school district clerks and to make application for admission of such persons into the Montana school for the deaf and blind upon failure of parents or guardians to do so after notice."	183, 194, 254, 268, 281, 292, 539, 549, 558, 594, 595, 600.
220	Introduced by Laubach, Ahern, Reed, Hazelbaker, Stevens, Nash: A bill for an act entitled: "An act to amend Section 1465 of the Revised Codes of Montana, 1935, relative to the duties of school district clerks and duly licensed physicians to report hard of hearing, deaf, partially sighted and blind children to the president of the school for the deaf and blind in Great Falls, and to enact Section 1465.1 of the Revised Codes of Montana, 1935, relative to the duty of physicians to report the names of such persons eighteen (18) years of age and under to said officer."	183, 194, 254, 268, 281, 292, 539.
221	Introduced by Laubach, Ahern, Reed, Hazelbaker, Stevens, Nash: A bill for an act entitled: "An act to amend Section 3 of Chapter 43 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana of 1937, relating to the establishment and operation of a school for the deaf and blind at Great Falls, Montana and providing for the discontinuance of the school for the deaf and blind at Boulder, Montana, by providing for the appointment of a president, providing the term of such appointment, and outlining the qualifications of said president and providing for the removal of said president, and providing for em-	

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	ployment of a field worker and prescribing his duties and salary."	183, 189, 211, 253, 268, 280, 293, 501.
222	Introduced by Toomey and Ahern: A bill for an act entitled: "An act to amend Section 6707 of the Revised Codes of Montana of 1935, relating to limitation of the term of leases of agricultural lands."	203, 299, 326, 350, 352, 377, 554, 556, 571, 592, 596, 607, 608, 612.
223	Introduced by Toole: A bill for an act entitled: "An act to amend Section 6430.2 of the Revised Codes of Montana of 1935, relating to exemptions of truck or automobile from execution."	203, 301, 342.
224	Introduced by Laubach: A bill for an act entitled: "An act to amend Section 1459 of the Revised Codes of Montana, 1935, relating to the supervision and control of the Montana school for the deaf and blind by making it the duty of teachers of school districts to provide special classes for those persons between the ages of six and eighteen who are not totally blind or deaf, but who have defective vision or are partially deaf, and to provide and employ a teacher or teachers and provide for the qualifications of such teacher or teachers and for the employment and supervision thereof."	203, 225, 254, 308, 323, 335, 501.
225	Introduced by Toomey and Ahern: A bill for an act entitled: "An act to amend Chapter twenty-eight of the Code of Civil Procedure of the Revised Codes of Montana of 1935 by adding thereto a section to be numbered Section 9046.1, relating to limitations of actions for the recovery of dividends declared by Montana corporations."	203, 282, 310, 350, 367, 377, 464.
226	Introduced by Toomey and Ahern: A bill for an act entitled: "An act to amend Sections 10205 and 10206 of the Revised Codes of Montana of 1935, and repealing Sections 10207, 10208, and 10209 of the Revised Codes of Montana, 1935, relating to the sale of mining property in estates of deceased persons."	203, 298, 326, 350, 363, 378, 502, 513, 514, 524, 599.
227	Introduced by Nash: A bill for an act entitled: "An act providing a method of procedure for determining eligibility to fire department relief associations."	203, 213, 250, 264.

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228	Introduced by Aronson: A bill for an act entitled: "An act to amend Sections 5668.35, 5668.36, 5668.37, 5668.38 and 5668.39 Revised Codes of Montana, 1935, relating to the establishment, construction, equipment, maintenance, management and operation of airports and landing fields by counties, cities, and towns: Authorizing joint action of such bodies and their right to exercise eminent domain therefor, the levy of taxes for the purposes enumerated and the borrowing of money and issuance of bonds therefor, but only after submission to a vote of the taxpayers; and validating levies and expenditures heretofor made, separately or jointly."	203, 310, 364, 382, 406, 464, 481, 486, 501.
229	Introduced by Morrow, Burke, and Lehrkind: A bill for an act entitled: "An act to create the eighteenth judicial district of the State of Montana to be composed of the county of Gallatin and to provide and designate the powers, duties, term and compensation of the judge of said eighteenth judicial district and to provide that the sixth judicial district of the State of Montana shall hereafter embrace the territory within the counties of Park and of Sweet Grass."	204, 274, 295, 301, 315, 344, 366, 383, 395, 501, 514, 515, 534.
230	Introduced by Antrim, Cummings, Hazelbaker, and Harrison: A bill for an act entitled: "A bill for an act to amend Sections 3745, 3746, and 3747 of the Revised Codes of Montana of 1935 relating to the licensing of guides."	204, 291.
231	Introduced by Ahern, Forbregd, and Rasmussen: A bill for an act entitled: "An act authorizing and permitting county commissoiners to lease county property for oil and gas development by permitting a lessee to drill wells and pay to the county for such lease a royalty of not less than twelve and one-half per cent (12½%) of the oil and gas produced and saved from all lands so leased."	204, 420.
232	Introduced by Busch: A bill for an act entitled: "An act to provide for the conservation of underground water; providing for the casing and capping of artesian and deep water wells; providing for the regulation of artesian and deep water wells and prohibiting the waste of water therefrom; providing a penalty for the violation of the provisions of this act and prescribing the duties of the state engineer in relation thereto."	204, 306, 351, 366, 383, 409, 554.

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233	Introduced by Mernin: A bill for an act entitled: "An act relating to the power of any city or town to establish by ordinance a standard of time within the corporate limits of the city or town earlier than the last Sunday in March in each year and not later than the last Sunday of October of the same year, commonly called day light saving time."	204, 226.
234	Introduced by Clifford, Murray and McGreevey: A bill for an act entitled: "An act regulating sanitation and health, providing for a plumbers examining board, fixing its term of office and prescribing its duties and qualifications providing for the examination of master and journeyman plumbers, prescribing a license and setting fees therefore, and providing for the disposition of such fees, authorizing cities to make rules and regulations not inconsistent with this act, prescribing powers and duties of the State Board of Health, authorizing employment of assistants, defining terms used in this act, and repealing Sections 5183 to 5193, inclusive, of the Revised Codes of Montana of 1935, and all acts and parts of acts in conflict herewith."	204, 279, 309, 341, 352, 359, 419.
235	Introduced by the Committee on Public Safety: A bill for an act entitled: "An act to amend Sections 2677, 2678, 2679, 2681, 2682, 2683, 2685, 2688, 2690, 2691, 2692, 2701, 2702, of the Revised Codes of Montana of 1935, and Sections 2711.1 and 2711.4 of said codes as amended by Chapter 174, laws of Montana of 1937, relating to electrical construction and repealing all acts and parts of acts in conflict herewith."	204, 270, 297, 341, 362, 379, 415, 518, 520, 534, 551, 555, 594, 595, 600.
236	Introduced by Cannon: A bill for an act entitled: "An act to define and regulate the business of making loans in the amount of \$300.00 or less; to permit the licensing of persons engaged in such business; to authorize such licensees to make charges at a greater rate than unlicensed lenders; to prescribe maximum rates of charge which licensees are permitted to make; to regulate assignments of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of \$300.00 or less; to provide for the administration of the act and for the issuance of rules and regulations therefor; to authorize the making of examinations and investigations and the publication of reports thereof; to provide for a review of decisions and findings of the superintendent of banks under this act; and to prescribe penalties; and to repeal all acts and parts of acts in conflict herewith."	205.

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237	Introduced by Harrison by request: A bill for an act entitled: "An act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national-defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the federal government, in the development and administration of such projects of the federal government, to acquire or lease such projects and to sell certain projects to the federal government; to authorize public bodies to assist such projects of housing authorities and of the federal government; and to make obligations issued for such projects of housing authorities legal investments."	205, 286, 310, 350, 367, 422, 554.
238	Introduced by the Committee on Education: A bill for an act entitled: "An act providing "transportation" services for all public school pupils residing three or more miles from an open public school; defining "transportation" for the purpose of this act so as to include services furnished in lieu of "transportation"; providing that school boards may operate buses and contract for "transportation" of pupils; providing that school boards may close schools and transport pupils to another school and providing that school boards shall pay for its pupils attending school in another district, defining the duties of teachers and county superintendents in such cases; providing that no school money shall be expended for "transportation" except to persons or firms holding legal contracts for the same; providing for the letting of such contracts and filing of the same; providing requirements as to buses, drivers, and the operation of buses, fixing the amount of liability insurance to be carried by school districts, fixing a schedule for individual "transportation" and setting forth limitations and exceptions; providing that any child attending other than a public school may ride on a school bus; designating who is eligible to receive "transportation" from school districts; providing for the measurement of "transportation", distances in dispute and the settlement of "transportation" matters in controversy; providing for state reimbursement for "transportation" and limiting the amount thereof; providing a budget and levy for "transportation"; and repealing Section 1010 of the Revised Codes of Montana, 1935."	205, 331, 366, 382, 418, 424, 555, 600, 612.
239	Introduced by the Committee on Education: A bill for an act entitled: "An act amending Chapter	

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	one hundred eleven (111) of the Revised Codes of Montana, 1935, by repealing Sections 1187 to 1197 inclusive, and Section 1200, abolishing the state textbook commission, all relating to the state textbook commission, and by adding thereto certain sections providing for the adoption of textbooks by school superintendents, principals, and boards of education in all districts employing an administrative head and by the county superintendent of schools for all other districts within the county, upon recommendation of a committee of three (3) persons appointed by the county superintendent, who are actually engaged in public school work.".....	205, 352, 383, 395, 406, 422, 426, 555, 569, 570, 594.
240	Introduced by Lippard, Cummings, Stevens, and Toole: A bill for an act entitled: "An act providing for the licensing, regulating and control of slot machines, punch boards and similar devices, providing for an operator's license, a machine license, and a premise license, and granting to the state board of equalization authority to issue such licenses and granting certain powers for the enforcement of this act; fixing the amount to be paid for licenses and that all fees collected under the provisions of this act by the State shall be deposited in the old age pension fund, excepting not more than ten per cent (10%) of such fees to be used by the board for the administration of this act; defining the terms used herein; providing for the labeling of slot machines, punch boards or similar devices to indicate the basis upon which such slot machines, punch boards or similar devices are operated; permitting cities, towns and counties to levy a license tax in addition to the state license herein provided for, and providing that all money collected by a county for such licenses shall be deposited in the county poor fund; and providing penalties for the violation of this act."	206, 368.
241	Introduced by Stevens: A bill for an act entitled: "An act to permit actions at law against the State Highway Commission for injury to property or persons or death due to the negligent construction or maintenance of arterial highways, to provide for the payments of judgments in such cases and to absolve counties and county commissioners from liability in such cases."	214, 265.
242	Introduced by Friedl, by request: A bill for an act entitled: "An act providing for the enforcement of the unfair practices act."	214, 282.
243	Introduced by Committee on Horticulture: A bill for an act entitled: "An act to amend the following Sections of the Revised Codes of Montana, 1935, namely: Section 4265.1 as amended by	

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	Chapter 89 of the Session Laws of 1939, relating to grades of apples: Section 4265.3, relating to grade of bulk apples; Section 4265.4, relating to standard size of apple container, and repealing Section 4265.5."	214, 225, 261, 280, 295, 304, 485, 487, 555, 594, 595, 600, 614.
244	Introduced by Murray and Horrigan: A bill for an act entitled: "An act to amend Sections 3 and 19 of Chapter 137 of the Session Laws of 1937, as amended by Chapter 137 of the Session Laws of 1939, relating to 'unemployment compensation law', entitled an act providing for unemployment compensation; creating a state unemployment compensation commission; establishing an unemployment compensation fund and providing for the administration, distribution and investments thereof; providing for the assessment and collection of contributions upon payroll of employers; creating a state employment service and providing an appropriation therefor; providing penalties for violations."	214, 270.
245	Introduced by Stevens and Cummings: A bill for an act entitled: "An act to license the game of beano; providing for the regulation of beano games by county fair boards or the board of directors of district fairs and the state board of equalization; defining the game beano; providing for licenses to be issued and the proceeds to go to the county poor fund; providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith."	214, 257, 369.
246	Introduced by Murray and Clifford: A bill for an act entitled: "An act to amend Section 3432 of the Revised Codes of the State of Montana, 1935, relating to ventilation of quartz mines by modifying the provisions thereof and to create Subsection 2 of Section 3432, extending the same to all hazardous occupations except domestic service or agricultural labor."	214, 345.
247	Introduced by McGreevey: A bill for an act entitled: "An act to amend Section 632 of the Revised Codes of Montana, 1935, relating to the date of holding primary elections and the purpose thereof by providing that primary elections shall be held on the first Tuesday in September following the second Monday."	214, 331, 351, 374, 383, 387, 517.
248	Introduced by LaBonte: A bill for an act entitled: "An act to amend Section 3694.1 of the Revised Codes of Montana of 1935, relating to the penalty for violation of certain laws relating to fish and	

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	game, but providing a minimum penalty for the illegal possession of game or fur bearing animals."	215, 291, 310, 341, 362, 367, 422, 554.
249	Introduced by Burke: A bill for an act entitled: "An act to amend Section 1747.12 of the Revised Codes of Montana of 1935, as amended by Section 12 of Chapter 129 of the session laws of 1937, relating to the elimination of reckless and irresponsible drivers from highways and relating to financial responsibility of motor vehicle owners and operators and making uniform the laws in relation thereto."	215, 278, 297, 340, 341, 352, 422, 502, 513, 514, 524, 602.
250	Introduced by Clifford and Murray: A bill for an act entitled: "An act authorizing the Montana State Fish and Game Commission to negotiate and agree with the Flathead Indians and the Flathead nation to adopt any and all rights or claims granted them by the United States of America under the treaty with the Flathead Indians of 1855."	215, 291, 310, 350, 352, 358, 554.
251	Introduced by Mernin: A bill for an act entitled: "An act to make it unlawful for any manufacturer, wholesaler, jobber or others to ship any merchandise, wares, goods or machinery into the State of Montana unless the same has been ordered by the consignee."	215, 282.
252	Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to provide for a state guard, its authority and name, organization, rules and regulations, pay and allowances, use of property, use within and without state, qualifications and exemptions of personnel, and providing for permission to forces of other states to enter the State of Montana under certain circumstances."	215, 361, 376, 385, 408, 420, 421, 429, 437, 571, 592, 594, 595, 600.
253	Introduced by Toole: A bill for an act entitled: "An act to amend Section 4875 of the Revised Codes of Montana, 1935, to provide for the number of deputies to be allowed the county clerk, clerk of the district court, and sheriff in each county, and to provide for the selection in judicial districts having more than one district court judge of a person by the judges of the district court to be appointed by the sheriff as a deputy and whose duty it will be to act as an attendant upon the district court and perform the duties of bailiff of said court in addition to his other duties	

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	as deputy under the sheriff, and repealing all acts and parts of acts in conflict therewith."	215, 278, 297, 340, 362, 367, 411, 485.
254	Introduced by Murray and Clifford: A bill for an act entitled: "An act to preserve the scenic beauty of the State of Montana by requiring all placer mining operators to level all debris, refuse, and tailings caused by their placer mining operations within the distance of one mile from any state or county highways or limits of any city or town; providing the penalty for such failure; declaring such failure a public nuisance; providing for the abatement of such nuisance; and repealing all acts and parts of acts in conflict herewith."	215, 396.
255	Introduced by Mernin: A bill for an act entitled: An act to amend Section 2016 of the Revised Codes of Montana of 1935, relating to the listing of personal property belonging to a merchant or manufacturer."	215, 283.
256	Introduced by Mernin: A bill for an act entitled: "An act to amend the housing authorities law by amending Section 5309.2 of Chapter 404 of the Revised Codes of Montana of 1935, providing for a finding and declaration of necessity for slum clearance and projects to provide housing accommodations for persons of low income in urban and rural areas of the State by amending Section 5309.10 of said Chapter, providing for the cooperation of housing authorities; by repealing Section 5309.25 of said Chapter, which provides that bonds of housing authorities are legal investments; by incorporating a new Section in said Chapter, to be known as Section 5309.25, granting additional powers to housing authorities in relation to contracts; and by incorporating new Sections in said Chapter, to be known as Sections 5309.27A, 5309.27B, 5309.27C, 5309.27D, 5309.27E and 5309.27F, providing for the creation of housing authorities for counties and defining their powers, authorizing such authorities to undertake housing projects for farmers of low income, and providing that housing projects shall not be operated for profit."	215, 275, 309, 340, 367, 423, 555, 562, 592, 598, 613, 614, 616.
257	Introduced by Parker of Cascade: A bill for an act entitled: "An act to declare valid and legal the creation and establishment of housing authorities in the State of Montana under the provisions of the housing authorities law, and all contracts, bonds, notes, agreements, obligations and undertakings of such housing authorities, and all	

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	proceedings, acts and things heretofore undertaken, performed or done with reference thereto."	216, 274, 295, 340, 352, 423, 555, 564, 565, 594.
258	Introduced by Parker of Cascade: A bill for an act entitled: "An act to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States government, shall be security for all public deposits and negotiable and legal investments for the State and public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, saving banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries."	216, 275, 295, 340, 352, 423, 554.
259	Introduced by Toole, Lippard, Clifford, Cummings, Toomey, O'Connor, Anson: A bill for an act entitled: "An act to regulate, license and authorize games of chance, gambling games and gambling devices; providing for the operation thereof under license by persons qualified under this act; providing for license fees and the allocation of the revenue derived from licenses and fines; prohibiting minors and persons under the influence of intoxicating liquor from playing and loitering about such games; prescribing the hours during which games may be played and the place, manner and conditions for the operation thereof; providing for the revocation of licenses; providing penalties for the violation of this act; and repealing all acts and parts of acts in conflict herewith."	216, 368.
260	Introduced by Oliver, Esp, Scofield: A bill for an act entitled: "An act to amend Section 3417.4 of the Revised Statutes of Montana, 1935, relating to bounty on predatory animals, providing for a bounty on coyotes, during the entire year, providing for the disposition of the hides of coyotes during certain months of the year, defining the duty of the sheriffs in relation to the provisions of this act; providing for appropriations to carry this act into effect and fixing a date when this act shall become inoperative and repealing all acts and parts of acts in conflict herewith."	216, 250, 384.
261	Introduced by O'Connor, O'Brien, Curran, Beazley, Gebhardt, Phelan, Horrigan, Cummings: A bill for an act entitled: "An act to be known as the "Alcoholic Beverage Fair Trade Act", amending	

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	Section 2815.22 of Chapter 254 of the Revised Codes of Montana, 1935, relating to the licensing of brewers and the collection of tax on beer; providing excise stamps for beer imported into the State; requiring the registration of brands of malt beverage products; providing the conditions for the sale and delivery of malt beverages; regulating the trade practice in the manufacture, distribution and sale of malt beverages; setting forth the powers of the Montana Liquor Control Board to make rules and regulations and to administer this act and authorizing expenditures in its administration; prescribing penalties for violations of this act and repealing all acts and parts of acts in conflict herewith." -----	216, 367, 369, 406, 411, 429, 435.
262	Introduced by O'Connor, O'Brien, Curran, Beazley, Gebhardt, Phelan, Horrigan, Cummings: A bill for an act entitled: "An act relating to the licensed sale of liquor at retail; to amend Section 4 and Section 5, of Chapter 84 of the session laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, and as amended by Chapter 221 of the session laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, limiting retail liquor licenses; providing for the licensing of liquor to be sold at retail in the original package only and to be consumed off the premises; providing the conditions, terms and limitations under which licenses may be issued therefor; setting forth the qualifications of licensees and their premises; providing penalties for violations of this act; repealing Section 1 and Section 2 of Chapter 221 of the session laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, and all other acts and parts of acts in conflict herewith." -----	217, 369, 406, 411, 417, 429, 440.
263	Introduced by O'Connor, O'Brien, Curran, Beazley, Gebhardt, Phelan, Horrigan, Cummings: A bill for an act entitled: "An act to amend Section 2815.67 and repealing Section 2815.69 of the Revised Codes of Montana, 1935, and as amended by Section 4, Chapter 30 of the laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, and repealing Sections 2815.71 and 2815.72 of the Revised Codes of Montana, 1935, and substituting in lieu thereof to be designated Sections 2815.69, 2815.70, 2815.71 and 2815.72, and repealing Sections 2815.68, 2815.73, 2815.74, 2815.75, 2815.76, 2815.77, 2815.78, 2815.79, 2815.80, 2815.81, 2815.82, 2815.83, 2815.84, 2815.85, 2815.86, 2815.87, 2815.109, 2815.110, 2815.111, 2815.113, 2815.114, 2815.116, 2815.118, 2815.119, 2815.120, 2815.121, 2815.122, 2815.123, and 2815.124 of Chapter 255 of the Revised Codes of Montana, 1935, relating to the distribution, sale and delivery of	

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	liquors at wholesale within the State of Montana; to authorize the maintenance and operation by the Montana Liquor Control Board of wholesale establishments and branches thereof and limiting the number of branch wholesale establishments; authorizing fair trade practices; providing for the local enforcement of the provisions of liquor laws of the State and providing penalties for the violation thereof; to provide the time of the taking effect of this act and to repeal all acts and parts of acts in conflict herewith."	217, 369, 406, 411.
264	Introduced by Stevens: A bill for an act entitled: "An act providing for the free admission of students attending schools or colleges in the State of Montana to all athletic events and dances sponsored or supervised by said schools or colleges or in which school students or college students are participating."	217, 313.
265	Introduced by Stevens: A bill for an act entitled: "An act relating to gambling devices; providing for the operation thereof under license; providing for certain license fees and the use of money obtained therefrom; prohibiting minors from playing such devices; and designating the penalties for violations of the provisions."	217, 368.
266	Introduced by Murray and Clifford: A bill for an act entitled: "An act amending Section 6112 Revised Codes of Montana, 1935, relating to license fees for insurance companies."	217, 250, 368.
267	Introduced by Committee on Water Conservation and Flood Control: A bill for an act entitled: "An act to provide for the organization of water conservancy districts and to define the purposes and powers thereof."	217, 285, 321, 341, 362, 365, 366, 379, 387, 554.
268	Introduced by Toole by request: A bill for an act entitled: "An act to repeal Chapter 129, Session Laws of 1937, and to require every person registering a motor vehicle in the State of Montana to furnish proof of financial responsibility with respect to liability for bodily injuries or death arising from the ownership, maintenance or use of such motor vehicles on the highways of the state by the registrant or by any other person with his express or implied consent; providing the nature of public liability policy or surety bonds or deposit which may be issued as such proof; providing for revocation of registration upon cancellation of such policy or bond; providing for the regulation of risk classification and the establishment of premium charges by the commissioner of insurance; providing for a review of his orders, findings and decisions in the courts; providing for	

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	the procedure on complaints relative to cancellation of insurance policies or refusal of companies to issue policies; providing penalties and repealing all acts and parts of acts in conflict herewith.".....	218, 311, 371, 383.
269	Introduced by Murray and Clifford: A bill for an act entitled: "An act to amend Section 5 of Chapter 91, Laws of Montana, 1937, relating to license fees for the operation and maintenance of moving picture theaters and exemptions thereon.".....	219, 367.
270	Introduced by Flook, Phelan, Vanek, Martin of Ferguson, Beazley, Kemmis, Eggenberger, Harken, Winters: A bill for an act entitled: "An act requiring public utilities to file an annual statement of the value of all property for rate making purposes and prescribing the method of assessing such properties for taxation."	219, 385, 386.
271	Introduced by Phelan by request: A bill for an act entitled: "An act to appropriate money for the payment of salaries and maintenance operation and other purposes of the state bureau of criminal identification and investigation for the period beginning July 1, 1941 and ending June 30, 1943.".....	219, 258.
272	Introduced by Ballard: A bill for an act entitled: "An act to amend Section 3700 of the Revised Codes of Montana of 1935, relating to penalty for violating closed season on certain game birds and power of the commission to open season on certain game birds."	219, 291, 310, 341, 350, 355, 554.
273	Introduced by Toomey by request: A bill for an act entitled: "An act to amend Sections 5397 and 5398 of the Revised Codes of Montana of 1935, relating to the abandonment of the commission form of government and the requirements of the petitions provided for by providing that the petition of not less than eight per cent (8%) of the electors of the city may cause a special election to be called and by providing that the same question may not be submitted again within a period of one year and by omitting from the requirements of the petition the age of the petitioner."	229, 298.
274	Introduced by Byrne: A bill for an act entitled: "An act to amend Section 2215.9 of the Revised Codes of Montana of 1935, relating to the effect of tax deeds issued under the laws of the State of Montana."	229, 307.
275	Introduced by Spiegel: A bill for an act entitled: "An act to preserve the coal resources of the State of Montana from too rapid exhaustion without corresponding benefit to the State of Montana and to classify methods of mining coal and to distinguish underground mining of coal from strip or	

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	open pit mining of coal; and an act to amend Sections 2316, 2318, 2319, 2321, of the Revised Codes of Montana as amended by Chapter 200 of the session laws of Montana, 1939, requiring every person, firm, association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged or working or operating any mine or mining property in the State of Montana, from which coal is mined, produced or extracted, to pay to the state treasurer for engaging in and carrying on such business by any method, certain license taxes for the exclusive use and benefit of the State of Montana, and prescribing a method for the collection thereof."	231, 368.
276	Introduced by Friedl, Dahlquist, Davey, Zuck, Forbregd, Tyler, Petersen, and Kemmis: A bill for an act entitled: "An act authorizing the Montana Fish and Game Commission to enter into cooperative agreements with fish and wild life service of the Department of the Interior of the United States in the administration and operation of the Fort Peck game range and providing limitations thereof."	235, 305.
277	Introduced by Freshman: A bill for an act entitled: "An act to repeal Sections 3228.19, 3228.20, 3228.21, 3228.22, 3228.23, 3228.24, 3228.25, 3228.26, 3228.27, 3228.28, 3228.29 and 3228.30 and all of such section of the Revised Codes of Montana, 1935, as amended by Chapter 183 of the Laws of 1937, and as amended by Chapter 150 of the Laws of 1939, relating to barbers and barber shops."	235, 364.
278	Introduced by Holding by request: A bill for an act entitled: "An act to amend Section 1 of Chapter 71 of the Session Laws of Montana, 1939; providing that band funds may be transferred by due process of law; repealing all acts and parts of acts in conflict therewith."	235, 284, 309, 335.
279	Introduced by Williams: A bill for an act entitled: "An act to amend Section 1617 of the Revised Codes of Montana of 1935, relating to the road tax levy and providing that a levy of six mills on the dollar of taxable property may be levied for road purposes."	235, 367.
Sub. 279	A bill for an act entitled: "An act to amend Section 1617 of the Revised Codes of Montana of 1935, relating to the road tax levy and providing that a levy of six mills on the dollar of taxable property may be levied for road, street and alley purposes by incorporated cities and towns."	367, 383, 395, 406, 426, 485.
280	Introduced by Lynch: A bill for an act entitled: "An act for the submission to the qualified elect-	

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	ors of the State of Montana of an amendment to Section 3 of Article VI of the Constitution of the State of Montana, relating to representative and senatorial districts, and providing for the repeal of Section Four (4), Five (5), and Six (6) of Article VI of the Constitution of the State of Montana."	236, 313.
281	Introduced by Blenkner by request: A bill for an act entitled: "An act to amend Section 3 of Chapter 137 Session Laws of Montana, 1939, relating to contributions under provisions of unemployment compensation act and the study of Unemployment Compensation Commission of merit rating."	236, 320.
282	Introduced by Kirscher and Scott: A bill for an act entitled: "An act providing for the preservation, maintenance, repair and reconstruction of the public highways of this state in order to secure greater safety to the lives and persons of the public generally; requiring all persons operating motor trucks, tractors, semi-trailers, trailers, and combinations thereof, and buses, upon the public highways of this state, with certain exceptions, to apply for and obtain State Highway Commission permits and to pay to the county treasurer permit fees in addition to other fees and taxes now assessed and collected; providing for the issuance of permits and metal plates evidencing such issuance, to be carried on the vehicles operating under such permits; providing for the administration and enforcement of this act by the State Highway Commission and the State Highway Patrol; authorizing enforcement officers and agencies to inspect such vehicles and authorizing such officers to seize and hold vehicles in order to require the payment of such fees; providing for penalties for the violation of this act; and providing for exemptions from the provisions of this act."	236, 250, 333.
283	Introduced by Martin of Madison: A bill for an act entitled: "An act to amend Section 1759.5 Revised Codes of Montana, 1935, as amended by Chapter 154 Laws of the Twenty-fifth Legislative Assembly, 1937, relating to the use of license plates on motor vehicles, trailers and semi-trailers; defining certain regulations pertaining to license plates; relating to fictitious license plates; relating to the use of license plates other than those provided by law; by requiring license plates to be purchased and displayed on motor vehicles in the county of the permanent residence of the owner, excepting therefrom motor vehicles used in transportation of persons or property; repealing all acts in conflict herewith."	236, 343, 379, 406, 422, 426, 485, 495, 506, 538.

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284	Introduced by Phelan by request: A bill for an act entitled: "An act to amend Chapter 20 of the Session Laws of 1937, relating to the payment of delinquent personal property taxes, and defining the procedure of the county treasurer where personal property is seized for the payment of such taxes, and providing a time when such personal tax can be paid without penalty or interest."	236, 283.
285	Introduced by Eggenberger and McKenna: A bill for an act entitled: "An act creating a new section of the Revised Codes of Montana, to be designated Section 3564.1, defining the powers and duties of the division of farming and dairying of the department of agriculture, labor and industry."	236, 282.
286	Introduced by Murray and Clifford: A bill for an act entitled: "An act amending Sections 2816 and 2922 of the Revised Codes of Montana, 1935, and adding a new part to Chapter 256, Volume 2, of the political Code, Revised Codes of Montana, 1935, to be designated as Part VI, containing Sections 3033.1 to 3033.4, inclusive, relating to compensation for the occupational disease of arsenic poisoning."	236, 345.
287	Introduced by the Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to amend Section 3324 of the Revised Codes of Montana of 1935, as amended by Section 10 of Chapter 133 of the Session Laws of 1937, as amended by Chapter 85 of the Session Laws of 1939, relating to inspection of livestock on removal from county to county."	237, 275, 297, 340, 362, 365, 366, 379, 417, 539, 550, 556.
288	Introduced by Murray: A bill for an act entitled: "An act to provide that all materials, goods, supplies, accessories or furnishings of any nature, character or description purchased by the State of Montana for use in any of its institutions, boards, commissions, offices, or other agency and that all contracts for the erection, construction, maintenance or repair of any state owned or controlled property shall be the product of union labor and bear the union label of an organization affiliated with or recognized by the American Federation of Labor or the Committee for Industrial Organization, and to provide that the bid of any resident person, association, or corporation of the State of Montana shall be accepted as the lowest bid provided such bid be not more than ten per cent (10%) higher than the lowest bid of a non-resident of Montana, and providing that this act shall not affect Sections 260 and 261, Revised Codes of Montana, 1935, and providing a penalty for the violation of this act."	237, 279, 297, 340, 347.

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289	Introduced by Anderson and Scott: A bill for an act entitled: "An act to authorize school districts of any class to change, alter or re-define the boundaries of any school district contiguous or adjacent to any Indian reservation, or the boundaries of any district embracing any area of an Indian reservation, to exclude any idea or part of such reservation; providing school facilities and services are not denied to Indians or other persons residing within such reservations, or parts thereof, and for proceedings conformable to Section 1024, Revised Codes of Montana, 1935."	237, 313, 361, 383, 396, 427, 501.
290	Introduced by the Ways and Means Committee: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1941 and 1942."	237, 258, 269, 328, 335, 354, 485, 495, 506, 538.
291	Introduced by Armstrong: A bill for an act entitled: "An act defining "agent" or "insurance agent"; "solicitor" or "insurance solicitor"; providing for the appointment, regulation, and license fee for said solicitors; and repealing all acts and parts of acts in conflict herewith."	237, 360, 390, 407, 418, 427, 485, 495, 506, 548.
292	Introduced by Ahern and Hess: A bill for an act entitled: "An act to authorize the State of Montana to become indebted in the sum of three hundred fifty thousand dollars in excess of the Constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction and equipment of necessary buildings at the Northern Montana College, at Havre, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof, prescribing the form of such bonds and providing for the levy of an annual tax sufficient to pay the principal thereof and the interest accruing thereon, and providing for a referendum of this act."	237, 418.
293	Introduced by Antrim by request: A bill for an act entitled: "A bill for an act declaring it to be the policy of the state to aid and encourage the acquisition of homes; declaring this to be a public purpose; creating a Home Settlement Commission and prescribing its powers and duties."	237, 361.
294	Introduced by Lynch and Fewkes: A bill for an act entitled: "An act to provide for the non-partisan nomination and election of all elective county and municipal offices; abolishing certain existing	

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	methods in such cases and the use of party political designations at elections to such offices; imposing certain duties upon county and municipal officers having charge of election affairs and judges and clerks of election, and adapting the provisions of the laws as they now exist to the non-partisan election of county and municipal officers."	238, 314.
295	Introduced by Busch: A bill for an act entitled: "An act to amend Section 1 of Chapter 59 of the Laws of 1939, defining terms used in the act relating to agreements between the county commissioners of any county in this state and the United States government for the benefit of projects by providing that the word project shall be amended to mean any resettlement project or rural rehabilitation project or any other lands purchased by or belonging to the United States and located within the State of Montana."	238, 333, 364, 382, 396, 428, 555, 564, 565, 594.
296	Introduced by Beazley, Saylor, Murray, Phelan, Holding, Clifford, McGreevey, Harken, Cole and Friedl: A bill for an act entitled: "An act to amend Sections 12102 and 12103 Revised Codes of Montana, 1935, relating to punishment of death, how inflicted, providing for the use of lethal gas."	238, 299.
297	Introduced by Holding by request: A bill for an act entitled: "An act prohibiting any band or orchestra organized by or maintained by any public school, college, university, department, division or institution supported in whole or in part by state, county or municipal taxes from furnishing music or rendering services as musicians of such bands or orchestras other than as a part of or in connection with any function in which such school, college, university, department, division or institution officially participates and providing exemptions therefrom."	238, 313.
298	Introduced by Laubach, Fewkes, Esp, Lowe, Friedl, and Cummings: A bill for an act entitled: "An act to amend Sections 3650 and 3651 of the Revised Codes of Montana, 1935, providing for the creation of a Fish and Game Commission for the State of Montana; fixing the number of commissioners thereof; dividing the state into commissioner districts and defining the boundaries of such districts; providing for the appointment of commissioners; prescribing their qualifications; and repealing all acts and parts of acts in conflict herewith."	238, 340, 379, 407, 422, 428, 554, 556, 571, 592, 596, 607, 608, 612.

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299	Introduced by Bjerneby: A bill for an act entitled: "An act to amend Section 2000 of the Revised Codes of Montana of 1935, relating to the basis for the imposition of taxes upon different classes of property and providing for the percentage of the true and full value of certain classes of property which shall be taxed."	238, 265.
300	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Section 7073, relating to the succession and distribution of the property of a decedent by providing that if a decedent leaves no issue, the whole of the estate up to the amount of three thousand (\$3,000.00) dollars shall go to the surviving husband or wife."	238, 283, 309, 374, 383, 429, 538, 542, 548, 564, 565, 594.
301	Introduced by Holding, Parker of Cascade, Martin of Fergus, James, Ahern, Fewkes and Kemmis: A bill for an act entitled: "An act providing a gross income tax and in relation thereto providing for the levy of certain taxes on gross incomes, providing for the administration and collection of such tax, and providing for appeals and penalties and repealing all acts and parts of acts in conflict herewith."	238, 364, 408, 411, 417.
302	Introduced by Morrow et al.: A bill for an act entitled: "An act to appropriate money for the State Bureau of Mines and geology for the period beginning July 1, 1941, and ending June 30, 1943, in order to more adequately provide for discovery and development of new mineral resources."	239, 257, 271.
303	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act amending Section 812.6 of the Revised Codes of Montana, 1935, relating to the placing of names of supreme court justices and district court judges on the primary ballots and amending Section 812.8 of the Revised Codes of Montana, 1935, relating to the counting and canvassing of votes for judicial offices and repealing all acts and parts of acts in conflict herewith."	239, 265, 278, 328, 335, 354, 451.
304	Introduced by Holding: A bill for an act entitled: "An act to amend Section 2589, Revised Codes of Montana, 1935, relating to licenses from the State Board of Health for manufacturers and purveyors of food and drinks, and repealing all acts in conflict therewith."	239, 385.
305	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Chapter 168 of the Code of Civil Procedure of the Revised Codes of Montana of 1935, entitled "General rules	

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	of examination" by adding thereto a section to be known as Section No. 10671.1 providing that a party to the record of any civil action or proceeding may call an adverse party or an officer, director, or managing agent of a public or private corporation or of a partnership or association which is an adverse party, and providing for the scope and effect of such examination."	239, 282, 310, 350, 352, 429, 517.
306	Introduced by Committee on Judiciary: A bill for an act entitled: "An act relating to the nomination and election of justices of the supreme court and judges of the district courts and in relation thereto amending Sections 812.7 and 812.9 of the Revised Codes of Montana, 1935, and repealing all acts and parts of acts in conflict therewith."	239, 283, 309, 335, 346, 358, 451.
307	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Section 8277 of the Revised Codes of Montana, 1935, relating to the execution of mortgages of personal property and the affidavit of good faith attached thereto in certain cases."	239, 264, 278, 317, 323, 334, 413, 418, 421, 464.
308	Introduced by McKenna: A bill for an act entitled: "An act to amend Section 6707 of the Revised Codes of Montana, 1935, by providing that leases, leases with option to purchase, agreements and tenancies executed or created under the supervision of the United States Department of Agriculture whether or not the leases, leases with option to purchase, agreements and tenancies affect property owned, leased or controlled by the United States, corporations, partnerships, or individuals, shall not be affected by the restrictions against agricultural leases for a period longer than ten years."	239, 289, 311, 351, 374, 383, 388, 517.
309	Introduced by Parker of Wibaux: A bill for an act entitled: "An act to amend Section 5932 of the Revised Codes of Montana of 1935, relating to recording and amendment of a corporation's by-laws."	239, 297, 321, 350, 363, 430, 539.
310	Introduced by Saylor, Beazley, Hageman, Scofield and Parker of Wibaux: A bill for an act entitled: "An act to repeal Chapter 208 of the Session Laws of 1939, relating to grass conservation and known as Grass Conservation Act."	239, 396.
311	Introduced by Parker of Flathead, LaBonte and Bjorneby: A bill for an act entitled: "An act consenting to the acquisition by the United States	

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	of land, water or land and water, within Flathead county, Montana, for a migratory bird reservation as authorized by act of Congress of February 18, 1929, and providing for the establishment of such area as a state refuge in the discretion of the State Fish and Game Commission."	240, 331, 364, 389, 406, 430, 555, 564, 565, 594.
312	Introduced by Lippard: A bill for an act entitled: "An act to provide for the appropriation and expenditures of certain moneys to and by the Montana Park Commission and limiting the period of expenditures beginning July 1, 1941, and terminating June 30, 1943; and providing the retention within the state of certain archaeological specimens; and providing that research groups desiring to make exploration within the state shall first obtain a permit from the Park Commission so to do."	240, 274.
313	Introduced by Lynch: A bill for an act entitled: "An act to amend Section 10 of Chapter 49 of the Session Laws of 1939, relating to an act providing for the regulation of the sale of food and foodstuffs, providing for a State Board of Food Distributors and defining its powers and duties, setting forth the requirements for licensing of food stores, restaurants, and other places, definitions and penalties and repealing all acts and parts of acts in conflict herewith."	240, 261, 343.
314	Introduced by Rice and others: A bill for an act entitled: "An act appropriating money for repayment to Big Horn county of money paid by it to the State Insane Asylum by mistake and which was used for the direct benefit of all the people of Montana, and for which no reimbursement has been made to Big Horn county."	240, 344, 383, 389, 396, 410, 502, 513, 514, 524, 599.
315	Introduced by James et al.: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 16 of Article XII of the Constitution of the State of Montana, relating to the assessment of railroad property and apportionment by the State Board of Equalization to counties, cities, towns, townships and school districts."	240, 361.
316	Introduced by Martin of Fergus, Phelan, Vanek, Saylor, Roehl and Flook: A bill for an act entitled: "An act relating to the breeding, raising, production and marketing of domestic fur-bearing animals and the products thereof."	240, 291, 310, 350, 352, 410, 554.

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317	Introduced by Murray, Mernin, Clifford and McGreevey: A bill for an act entitled: "An act taxing mechanical loading machinery in coal mines."	240, 345.
318	Introduced by Beck, Nelson, Dahlquist, Banka and James: A bill for an act entitled: "An act amending Section 10400.1 of the Revised Codes of Montana of 1935, relating to tax on direct and collateral inheritances, bequests and devises, and on transfers of property; and defining clear market value."	240, 297.
319	Introduced by LaBonte, Byrne, Dillavou, and Loughran: A bill for an act entitled: "An act amending Section 590 of the Revised Codes of Montana of 1935, relating to the appointment of Judges of election."	240, 344, 364, 382, 390, 430, 485, 494, 496, 513, 514, 524, 599.
320	Introduced by Ballard: A bill for an act entitled: "An act to amend Section 3682 of the Revised Codes of Montana of 1935, relating to license required for hunting or trapping game birds, game animals, or fur-bearing animals or fishing for any game fish."	241, 291.
321	Introduced by Hess, Beck, Martin of Fergus, Parker of Cascade, Gunderson, McKenna and Zuck: A bill for an act entitled: "An act to amend Section 2295.2 and 2295.28 of the Revised Codes of the State of Montana of 1935, relating to the rate of income tax and changing said rate of income tax and the disposition of the revenue therefrom."	241, 367.
322	Introduced by Murray, Clifford, and McGreevey: A bill for an act entitled: "An act to provide for the parole of certain patients at the State Insane Asylum at Warm Springs and providing for recommitment if a paroled patient is not returned within the time allowed."	241, 325, 359.
323	Introduced by LaBonte, Byrne, Dillavou, and Loughran: A bill for an act entitled: "An act to amend Section 5011 of the Revised Codes of Montana of 1935 relating to the appointment of election judges and clerks and the fixing of voting places, by the city council."	241, 344, 364, 382, 390, 431, 486, 494, 496, 513, 514, 524, 599.
324	Introduced by Fewkes, Antrim, and Winters: A bill for an act entitled: "An act to amend Sections 1 and 9 of Chapter 128 of the Session Laws of Montana of 1939 relating to the appointment of the Montana State Board of forestry and relating to assessments against owners of forest land for	

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	its protection and to amend Chapter 128 of the Session Laws of Montana, 1939 by adding a new section thereto relating to the right of an owner of forest lands to a hearing before the Montana State Board of Forestry."	241, 336, 366, 389, 418, 431, 539, 543, 557, 594, 595, 600.
325	Introduced by Ahern: A bill for an act entitled: "An act to amend Section 562 of the Revised Codes of Montana of 1935, as amended by Chapter 147 of the Session Laws of 1937, providing for the cancellation of registry for failure to vote and re-registration; and providing the manner of re-registration thereafter, and requiring county clerks to cancel registration of voters who failed to vote at general election held November 5, 1940."	241, 312, 350, 374, 383, 431, 485.
326	Introduced by Rice: A bill for an act entitled: "An act to amend Sections 4193.1, 4193.3 and 4193.5 of the Revised Codes of Montana of 1935, relating to the regulation of the sale of standard petroleum products; providing penalties for violation of the act; defining the purposes of the act and making it the duty of the county attorney to prosecute reported violations or explain his failure so to do, by providing that it shall be unlawful to enter into any agreement, understanding or combination to fix the price of any standard petroleum product in any locality within the State of Montana for the purpose of permitting free competition in the sale of such products, and making it the duty of the county attorney to prosecute violations; and providing that nothing contained in this act shall be construed as repealing or amending Sections 4193.2, 4193.4, 4193.6 and 4193.7."	241, 321, 325.
327	Introduced by Nelson, Phelan and Beck: A bill for an act entitled: "An act to provide for the inspection and analysis of commercial feeding stuffs and by whom and to regulate the sale thereof in the State of Montana; to define the term 'commercial feeding stuffs'; to provide for guarantees of the ingredients of commercial feeding stuffs and affixing labels to the packages thereof; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to regulate and license the sale of commercial feeding stuffs; to fix the penalties for the violation of the provisions of this act."	241, 275, 297, 335, 340, 374, 375, 390, 432.
328	Introduced by Nash: A bill for an act entitled: "An act prohibiting the wilful opening or publishing contents of a sealed letter by another person, without authority, than the person to whom it is addressed; and prescribing a penalty."	242, 265.

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329	Introduced by Nash: A bill for an act entitled: "An act providing for the creation of a commission to make an analytical study of public school transportation and financial problems and of the state's contribution to the costs of public school elementary and secondary education and to make recommendations to the Twenty-eighth Legislative Assembly at its session in 1943 concerning legislation relating thereto; providing for the appointment of members, the powers and duties of such commission and appropriating money therefor.".....	242, 361, 395.
330	Introduced by the Committee on Agriculture: A bill for an act entitled: "An act to amend Sections 9, 10, 11, 15, 13, and 16 of Chapter 195 of the session laws of Montana, 1939, relating to the appointment of weed control and weed seed exterminators; relating to inspection of premises believed to contain weeds, relating to destruction of weeds and the payment of expenses incurred so doing; relating to the creation of a noxious weed fund, and relating to the authority of the commission to fix the amount to be paid from the noxious weed fund, and providing that the cost of exterminating noxious weeds along the right of way of a state or federal highway shall be paid from the state highway fund."	242, 275, 297, 335, 346, 425, 539, 550, 556, 602.
331	Introduced by Morrow: A bill for an act entitled: "An act providing that it shall be unlawful for any person, firm, association, corporation or municipality, whether as owner, lessee, licensee or occupant of any land in this state, to make any charge whatsoever for the privilege of hunting or fishing on said land."	242, 331.
332	Introduced by Phelan: A bill for an act entitled: "An act providing for the regulation and licensing of liquor and to authorize the sale at wholesale and retail of vinous liquors in Montana; providing for license fees and stamp tax for the sale thereof and repealing all acts and parts of acts in conflict herewith."	242, 369.
333	Introduced by Rice: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section 6 and Section 14 of Article V of the Constitution of the State of Montana, relating to the time that legislative assemblies shall meet and the adjournment of the same."	242, 313.
334	Introduced by McGreevey, Cummings, and Hunter: A bill for an act entitled: "An act to amend Sections 2454.1, 2454.2, 2454.3, 2454.4, 2454.5, and 2454.6 Revised Codes of Montana of 1935, relating	

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	to the inspection, regulation, sanitation and licensing of tourist lodges or guest ranches."	242, 261, 305, 350, 374, 382, 406, 432, 501.
335	Introduced by Busch, McKenna, Hess, Beck, and Martin of Fergus: A bill for an act entitled: "An act providing for the recall of elective county and/or city officers, the grounds for such recall, the percentage and number of signers necessary to petition such recall, the formation and filing of charges, the ballot synopsis of charges, the form and size of the petition, the checking thereof, the canvassing of the petition, the holding of an election and the conduct thereof, publishing results thereof, declaring vacancy of office and jurisdiction of courts to compel performance of this act; relating to illegal signatures and false signing, corrupt practice and professional recallers, and repealing all acts and parts of acts in conflict herewith."	242, 364.
336	Introduced by Parker of Flathead and Allen: A bill for an act entitled: "An act to provide that the Montana highway patrol supervisor, in conjunction with the county commissioners of the several counties of the state, may designate portions of state and federal highways whereon it shall be unlawful to allow any livestock to run unless such livestock is accompanied by a herder; defining the word livestock; providing a penalty for the violation of this act and making it the duty of all peace officers, including Montana highway patrolmen to enforce the provisions hereof."	243, 312, 326, 350, 362, 384, 407, 422, 433, 464.
337	Introduced by Allen: A bill for an act entitled: "An act authorizing state and political subdivisions thereof or municipal corporations to complete projects now under construction; creating an emergency relief fund; providing for the levy of a tax and authorizing issuance of anticipatory emergency relief fund warrants."	243, 315, 321, 322, 323, 324.
Sub. 337	A bill for an act entitled: "An act authorizing counties, cities, towns and school districts to complete projects under construction and sponsored prior to March 15, 1941, under and in accordance with the provisions of Chapter 85 Session Laws 1937, as amended by Chapter 209 Session Laws 1939, and to sponsor projects to be constructed by federal agencies during the fiscal year beginning July 1, 1941, and ending June 30, 1942, by furnishing materials, equipment, rentals, supplies and supervision in connection therewith; creating emergency relief fund and authorizing the issuance of anticipatory emergency relief fund warrants	

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	against such funds; and authorizing the levying of special taxes to pay such warrants; and declaring an emergency."	323, 364, 379, 386, 388, 538, 542, 543, 553, 554, 560, 561, 568, 589, 591, 600, 601, 604, 605, 606, 613, 614, 616.
338	Introduced by Allen: A bill for an act entitled: "An act to regulate the caravaning of motor vehicles upon the public highways of the State of Montana; defining the term "caravaning" providing for the licensing of motor vehicles in caravans and fixing the fee therefor; providing for the disposition of such fees; defining the duties of the registrar of motor vehicles hereunder imposing penalties for violation of this act."	243, 314, 361, 389, 408, 432, 485.
339	Introduced by Parker of Flathead, Banka, Dahlquist, Toomey, and Byrne: A bill for an act entitled: "An act limiting the liability of a driver of a motor vehicle for personal injury to or death of a "guest" and repealing all acts and parts of acts in conflict herewith."	243, 261, 262, 263.
340	Introduced by McDaniel: A bill for an act entitled: "An act to provide for an apportionment of membership and representation of the several counties of Montana in the house of representatives of the legislative assembly of Montana and to fix the number of members thereof."	243, 290, 310, 350, 362, 363, 379, 381, 388, 397, 408, 448, 451, 461, 462, 468.
341	Introduced by McDaniel: A bill for an act entitled: "An act to amend Section 2239 of the Revised Codes of Montana, 1935, as amended by Chapter 107 of the session laws of 1939, relating to the duty of county treasurers with respect to the collection of taxes on personal property not secured by a lien on real property."	243, 339.
342	Introduced by McDaniel by request: A bill for an act entitled: "An act defining dealers in finished furs and manufactured fur garments, requiring licenses for such dealers, and fixing the amount thereof and prescribing the conditions under which the same shall be issued; defining the powers and duties of the state board of equalization; designating the disposition of the funds, fixing a penalty for violations and designating the effective date of the act."	243, 305.
343	Introduced by Cummings: A bill for an act entitled: "An act to amend Section 2620.45 of Chapter 240, Revised Codes of Montana, 1935, relating to license	

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	fees for persons, firms or corporations selling, exchanging or offering for sale, or having in possession with intent to sell, oleomargarine, imitation or filled cheese, or any substitute for any dairy product made from milk or cream, and exceptions thereto; repealing all acts in conflict herewith; and declaring that this act shall be in full force and effect from and after its passage and approval."	243, 263, 317, 333.
344	Introduced by Newell and Wilson: A bill for an act entitled: "An act to submit to the vote of the people of Montana the question of legalizing under license the operation of punch boards, of slot machines, and of other forms of gambling."	244, 385, 406, 420, 429, 435, 485.
345	Introduced by the Committee on Education: A bill for an act entitled: "An act to amend Section 2433.1 and to repeal Section 2433.7 of the Revised Codes of Montana of 1935 relating to public contractor's license so as to permit bidding on public works without a license."	244, 259, 269, 328, 346, 357, 485.
346	Introduced by Parker of Cascade, James, Winters, and Phelan: A bill for an act entitled: "An act providing for the stabilization of prices on dairy products, poultry products, fruits and vegetables; setting up standards of fair competition in such products; providing for the duties of the commissioner of agriculture, labor and industry under this act; and providing penalties for violation of the act."	244, 319, 364, 389, 408, 432, 555, 562, 592, 598, 607, 608, 612.
347	Introduced by Oliver: A bill for an act entitled: "An act empowering the county commissioners of the several counties of the state to rebate the penalty and interest on delinquent taxes, when in their judgment they deem it to be for the best interest to the county to do so, notwithstanding the provisions of any existing laws."	244, 258, 278.
348	Introduced by Toomey: A bill for an act entitled: "An act to amend Sections 633, 634, 635, 639, and 651, Revised Codes of Montana, of 1935, as amended and supplemented, relating to the direct primary, for the purpose of eliminating recognized weaknesses therein, by fixing the date of the primary election at the first Tuesday in September, abolishing the system of admitting any candidates to a place on the primary ballot upon payment of filing fees, and requiring candidates for nomination by direct primaries to submit their candidacies to state and county party assemblies and to be certified by such party assemblies for the	

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	primary ballot, or, in the alternative, to submit their candidacies by petition; to provide for the membership of such assemblies and election of delegates thereto by precinct electors, and prohibiting proxies under any circumstances; prescribing the powers of such party assemblies, limiting assemblies to sit for two days, the first for organization and hearing petitions for and from candidates and in their behalf, and for nomination of candidates, and the second for balloting thereon; limiting the number of ballots; providing for the numbers of candidates to be certified by the assemblies for each place on the primary ballot and refusing assembly certification to any candidate who fails to receive 20% of the assembly vote; prohibiting trading, directly or indirectly, in candidacies and votes under penalties herein prescribed, and for relating purposes, and repealing Sections 632, 640 and 641, Revised Codes of Montana, of 1935."	244, 345, 346.
349	Introduced by O'Connor: A bill for an act entitled: "An act amending Section 5736.1 of the session laws of the twenty-fifth legislative assembly, relating to incurable diseases; and repealing all acts and parts of acts in conflict therewith."	244, 283, 310, 350, 363, 433, 555, 556, 592, 602, 617.
350	Introduced by Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Carlson and Cummings: A bill for an act entitled: "An act to amend Sections 3736 and 3777 of the Revised Codes of Montana, 1935, relating to fees for permits for the shipment of fish and game; and relating to permits for breeding and propagating game birds and animals and fur-bearing animals."	244, 343.
Sub. 350	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3736 of the Revised Codes of Montana of 1935, relating to fees for permits for the shipment of fish and game."	343, 383, 407, 418, 433, 538, 542, 549, 564, 565, 594.
351	Introduced by Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Carlson and Cummings: A bill for an act entitled: "An act to amend Sections 3696.1, 3696.2, 3696.3, 3696.4, 3696.5 and 3696.6 of the Revised Codes of Montana, 1935, relating to open seasons for elk in certain parts of the State of Montana, prescribing rules and regulations in connection with such open seasons, and providing for penalties for violation of those regulations."	245, 351.
Sub. 351	A bill for an act entitled: "An act to amend Sections 3696, 3699 and 3719 of the Revised Codes	

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	of Montana, 1935, relating to open season for elk and deer; providing for closed season on certain game animals, prescribing penalties for violation of this act, repealing all acts and parts of acts in conflict herewith."	351, 379, 407, 422, 434, 539, 542, 544, 550, 556.
352	Introduced by Phelan by request: A bill for an act entitled: "An act regulating all benevolent corporations, associations, or societies operating on voluntary or involuntary assessment or contribution plan, which provide for protective and/or indemnity benefits."	245, 345.
353	Introduced by Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Carlson and Cummings: A bill for an act entitled: "An act to amend Sections 3697, 3699, 3701 and 3719 of the Revised Codes of Montana, 1935, relating to open season for deer and penalties for the willful waste of deer meat; relating to the power of the commission to open season on Rocky Mountain sheep and goats and penalties for hunting Rocky Mountain sheep and goats during a closed season; relating to open and closed seasons for grouse and prescribing bag limits therefor; and relating to the killing of moose, bison, buffalo, caribou, or antelope."	245, 364.
Sub. 353	A bill for an act entitled: "An act to amend Section 3701 of the Revised Codes of Montana of 1935 relating to open and closed season for grouse and prescribing bag limits therefor."	364, 390, 407, 418, 434, 539, 564, 565, 594.
354	Introduced by Goodwin: A bill for an act entitled: "An act to appropriate money for the state department of public welfare of the State of Montana to be used for payments to persons having silicosis and for necessary expenses in making such payments for the period beginning July 1, 1941, and ending June 30, 1943."	245, 258, 259, 297, 326, 350, 363, 435, 602, 603, 605, 609, 610, 613, 614, 616.
355	Introduced by Toomey by request: A bill for an act entitled: "An act authorizing district judges, as well as clerks of district courts, to authorize, order and direct publications of summons, notices, and all other forms of process, orders and published advices, and to designate the newspapers for such publications in all cases where publication is required by law."	245, 320.
356	Introduced by Castles: A bill for an act entitled: "An act to amend Section 1757 of the Revised	

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	Codes of Montana, 1935, relating to motor vehicle number plates and prescribing the specifications thereon and establishing that the numbers assigned the various counties shall be according to the 1940 census; and providing that the numbers assigned the counties shall start with one for the county with the largest population and be assigned to the different counties consecutively according to the population of said counties."	245, 278, 297, 335, 352, 436.
357	Introduced by Dahlquist, Phelan, and Nelson: A bill for an act entitled: "An act to provide for the weighing of livestock at concentration points, and for the supervision and regulation of the weighing, fill, dockage and grading of livestock at such places, by the department of agriculture of the State of Montana and providing penalties for violation of this act."	245, 380, 406, 420, 429, 437, 501.
358	Introduced by Dahlquist: A bill for an act entitled: "An act to amend Sections 3, 6, 8, 12, 14, 15 and 18 of Chapter 208 of the session laws of 1939, relating to the grass conservation act."	245.
359	Introduced by Murray and Clifford: A bill for an act entitled: "An act to amend Section 11171, Revised Codes of Montana, 1935, relating to officers neglecting duty in enforcing gambling laws, and penalty therefor."	245, 299.
360	Introduced by Murray, Clifford, and McGreevey: A bill for an act entitled: "An act to amend Sections 2343.1 and 2343.3 of the Revised Codes of Montana of 1935, as amended by Chapter 83 of the laws of 1937, relating to electrical energy producers' license tax and the distribution of said tax."	246, 367.
361	Introduced by McGreevey, Murray and Clifford: A bill for an act entitled: "An act to amend Section 2620.16, Revised Codes of Montana, 1935, relating to the licensing of creameries, butter factories, cheese factories and ice cream factories; providing the fees that shall be paid for such licenses, and providing that such creameries, butter factories, cheese factories and ice cream factories shall furnish a surety bond to secure payment for all milk, cream or other dairy products purchased."	246, 306.
362	Introduced by Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Carlson and Cummings: A bill for an act entitled: "An act to amend Sections 3651, 3653, 3654, 3661 and 3670 of the Revised Codes of Montana of 1935, relating to the appointment, qualifications, powers and duties and compensation of the Montana fish and game	

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	commission; relating to the qualifications and compensation and removal of deputy state fish and game wardens; and relating to the state fish and game fund."	246, 340, 347, 396, 420, 437, 554.
363	Introduced by Gunderson: A bill for an act entitled: "An act to provide for the compulsory installation and maintenance of reflectory caution, stop signs at all state highway and railroad intersections by the state highway commission; and the compulsory installation and maintenance of reflectory caution, stop signs at all intersections of county roads or highways with railroads by the boards of county commissioners of each county in the State of Montana; and the compulsory installation and maintenance of reflectory caution, stop signs at all highway and railroad intersections in the State of Montana; and requiring all vehicles to come to a full stop at such signs; and providing for a penalty and the enforcement thereof."	246, 320.
Sub. 363	Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to provide for the compulsory installation and maintenance of reflectory caution, stop signs at certain state highway and railroad intersections by the state highway commission; and the compulsory installation and maintenance of reflectory caution, stop signs at certain intersections of county roads or highways with railroads in the State of Montana; and the compulsory installation and maintenance of reflectory caution, stop signs at certain highway and railroad intersections in the State of Montana; and requiring all vehicles to come to a full stop at such signs; and providing for a penalty and the enforcement thereof.".....	320, 361, 382, 396, 436, 486, 495, 497, 513, 514, 524, 616.
364	Introduced by Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Carlson and Cummings: A bill for an act entitled: "An act to amend Sections 3683, 3684, 3694 and 3696 of the Revised Codes of Montana of 1935, and to amend Sections 3685 and 3685.3 of the Revised Codes of Montana of 1935, as amended by Chapter 174 of Session Laws of Montana of 1939, relating to classes of and fees for fish and game licenses, and application for licenses; relating to restrictions on the manner of taking fish and game and powers of the commission relating thereto; and relating to the open season on elk and penalties for the willful waste of any portion of an elk."	246, 359.
Sub. 364	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Sections 3683, 3694 of the Revised Codes of Montana of	

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	1935, and to amend Sections 3685 and 3685.3 of the Revised Codes of Montana of 1935, as amended by Chapter 174 of the session laws of Montana of 1939, relating to classes of and fees for fish and game licenses; relating to restrictions on the manner of taking fish and game and powers of the commission relating thereto, and repealing all acts and parts of acts in conflict herewith."	359, 409, 420, 440, 441, 554.
365	Introduced, by unanimous consent of the House, without notice, by the Committee on Appropriations, entitled: A bill for an act entitled: "An act to appropriate money for the payment of per diem to the officers and attaches and for incidental expenses of the Twenty-seventh Legislative Assembly of the State of Montana."	301, 309, 317, 323, 348, 386, 397, 408, 409.
366	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the State Department of Public Welfare of the State of Montana for public assistance, for administrative costs in the state department and in the county departments of Public Welfare and for all other expenditures that the State Department of Public Welfare may lawfully incur, for the period beginning with July 1, 1941, and terminating with June 30, 1943."	324, 325, 366, 378, 379, 381, 395, 408, 409, 602, 603, 605, 606, 613, 614, 616.
367	Introduced without previous notice by unanimous consent of the House of the Committee on Appropriations, entitled: A bill for an act entitled: "An act authorizing the governor to appoint a three-man committee to study and revise the fish and game laws of the State of Montana, setting forth the qualifications of the members of the committee; defining their powers and duties and limiting the expenses of said committee."	347, 370, 396, 407, 413, 436, 560.
368	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money from the general fund of the State of Montana for the operation and maintenance of certain departments, boards, commissions and institutions for the year ending June 30, 1941, the appropriations made by the Twenty-sixth Legislative Assembly having been found to be insufficient."	381, 385, 406, 452, 463, 467, 593, 594, 600, 601, 607, 613, 614, 616.
369	Introduced by Byrne and Armstrong: A bill for an act entitled: "An act providing for the creation	

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	and appointment of the Montana Preparedness and Advisory Commission and defining its powers and duties; and appropriating money for carrying out the purposes thereof."	387, 395, 413, 421, 429, 438, 593, 594, 595, 600.
370	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for certain state institutions for purposes as designated herein."	442, 450, 463, 469, 482, 487, 488, 593, 594, 600, 603, 607, 613, 614, 616.
371	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred for the payment of salary for Philip O. Keeney, in accordance with the supreme court decision in the case of State ex rel Philip O. Keeney vs. Montana State Board of Education et al."	442, 450, 463, 469, 482, 487, 488, 560, 569, 570, 594.
372	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the Montana State Hospital."	443, 450, 463, 469, 482, 487, 489, 560, 569, 570, 594.
373	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the hail insurance administration."	443, 448, 463, 469, 482, 487, 489, 560, 569, 570, 594.
374	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the adjutant general."	443, 450, 463, 469, 482, 487, 489, 560, 594, 595, 600.
375	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state school for the deaf and blind."	443, 449, 463, 469, 482, 487, 490, 568, 594, 595, 600.

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376	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state board of education."	443, 449, 463, 469, 482, 487, 491, 560, 594, 595, 600.
377	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state forester."	443, 449, 463, 469, 482, 498, 560, 594, 595, 600.
378	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the presidential electors."	443, 449, 459, 468, 477, 479, 539, 550, 556.
379	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred for transporting prisoners."	443, 449, 459, 469, 477, 479, 539, 550, 556.
380	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein for all state departments, boards, bureaus, commissions, and institutions, for the period beginning July 1, 1941 and ending June 30, 1943."	443, 449, 473, 482, 483, 502, 504, 602, 603, 605, 615, 616, 617, 623, 624, 625.
381	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the department of the attorney general to reimburse the law enforcement contingent fund for money used for operation of said department."	443, 449, 459, 469, 477, 479, 539, 550, 556.
382	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the Montana state training school."	443, 449, 459, 469, 477, 480, 524, 560, 569, 570, 594.
383	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds	

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	for the payment of certain deficiency claims arising for obligations incurred by the state school of mines."	443, 448, 459, 469, 477, 480, 539, 550, 556.
384	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of a deficiency claim arising for obligations incurred by district judge's expenses."	443, 448, 463, 469, 486, 498, 499, 560, 569, 570, 594.
385	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state text book commission."	444, 448, 459, 469, 477, 480, 539, 550, 556.
386	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state board of equalization."	444, 448, 463, 469, 486, 498, 499, 560, 569, 570, 594.
387	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state treasurer."	444, 448, 459, 469, 477, 480, 539, 550, 556.
388	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation of certain state departments, as designated herein, for the four month period, beginning March 1, 1941, and ending June 30, 1941."	465, 468, 481, 486, 498, 499, 601, 613, 614, 616.
389	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the use of the Water Conservation Board of the State of Montana for the administration fund and for the conservation revolving fund of the Water Conservation Board for the period beginning July 1, 1941 and ending June 30, 1943."	465, 468, 484, 487, 498, 499, 602, 603, 605, 620, 621, 622, 623, 624, 625.
390	Introduced by House Committee on the Joint House and Senate Committee on Educational Institutions and Affairs: A bill for an act entitled: "An act	

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	to authorize the State of Montana to become indebted in the sum of six hundred nintey thousand dollars in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction, repair, remodeling and equipping of necessary buildings at the Montana State College at Bozeman, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof, prescribing the form of such bonds and providing for the levy of an annual tax sufficient to pay the principal thereof and the interest accruing thereon, and providing for a referendum of this act."	476, 484, 502, 512, 538, 541, 593, 596, 613, 614, 616.
391	Introduced by House Committee of the Joint House and Senate Committee on Educational Institutions and Affairs: A bill for an act entitled: "An act to authorize the State of Montana to become indebted in the sum of three hundred fifty thousand dollars in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction and equipment of necessary buildings at the Northern Montana College, at Havre, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof, prescribing the form of such bonds and providing for the levy of an annual tax sufficient to pay the principal thereof and the interest accruing thereon, and providing for a referendum of this act."	476, 484, 497, 512, 524, 525, 568, 592, 597, 607, 608, 612.
392	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to provide for the payment of court costs and fees and board of prisoners in all highway patrol court cases and providing for the deduction of court costs and fees by the courts and for the payment of the expenses of counties, in the event prisoners have been boarded."	476, 485, 497, 512, 525, 568, 594, 595, 600.
393	Introduced by unanimous consent of the House, without previous notice, by the Committee on Appropriations, entitled: A bill for an act entitled: "An act to appropriate money for certain types of instruction, equipment and ventilation and re-	

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	modeling of buildings at the northern Montana College at Havre, Montana."	486, 506, 515, 518, 538, 542, 601, 613, 614, 616.
394	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for fire insurance premiums on state buildings and contents out of any money in the General Fund or any special funds enumerated herein, authorizing and directing the state insurance commission with the assistance of the state fire marshal to make annual survey of all state buildings and to report to the state board of examiners; state board of examiners shall classify all state buildings and contents; reduce insured values on fire resistive buildings and contents not subject to heavy losses; eliminate insurance on Montana state fair buildings and contents and on all worthless structures; state board of examiners empowered to make an appraisal of all state buildings and contents in order to determine values for fire insurance, and to take advantage of the pro rata term budget premium plan of insurance; distribution of insurance among licensed companies in proportion to taxes paid to the State of Montana as evidenced by the records of the state auditor and insurance commissioner."	503, 506, 524, 536, 547, 557, 602, 603, 605, 617, 618, 621, 622, 623, 624, 625.

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HOUSE JOINT MEMORIALS		
1	Introduced by Martin of Fergus: A House Joint Memorial entitled: "A resolution memorializing the Congress of the United States for the passage of the legislation for the creation and establishment of the Townsend recovery plan, and for benefits to be paid to all persons over the age of sixty years."	19, 45, 46, 53, 57, 59, 61, 131, 140, 141, 147, 163.
2	Introduced by Rice: A memorial entitled: "A memorial to the Congress of the United States requesting the enactment of appropriate legislation in the name of patriotism and justice making all bonds issued by the United States government, any state or other governmental agency, taxable."	29, 46, 53, 57, 67, 74, 75, 77, 131, 140, 141, 147, 163, 185.
3	Introduced by Oliver: A memorial entitled: "A memorial in relation to the construction of a water conservation project in the valley of the Little Missouri river for the irrigation of lands in the Little Missouri valley in Wyoming and Montana."	48, 72, 166, 177, 202, 227, 251.
4	Introduced by Scott: A memorial entitled: "A memorial to the Congress of the United States of America requesting the cancellation of all seed wheat loan contracts now existing between certain farmers of Montana and the United States of America."	52, 67, 72, 83, 88, 89, 97, 199, 202, 221, 249, 250, 252, 270.
5	Introduced by Ahern and Laubach, Reed, McKenna, Anderson, Hess, Beck, Gunderson: A memorial entitled: "A memorial to the Congress of the United States of America requesting the enactment of appropriate legislation adopting the principles embodied in what is known as the farmers wheat certificate bill and introduced in the Senate of the Seventy-sixth Congress of the United States of America by the Honorable Burton K. Wheeler and known as Senate Bill 2395."	122, 141, 152, 184, 188, 221, 314, 323, 371, 376.
6	Introduced by Esp and Toomey: A memorial entitled: "A memorial to the Congress of the United States requesting the enactment of appropriate legislation giving the counties of the State of Mon-	

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	tana the power to tax nationally owned land within their borders."	122, 254, 269, 328, 335, 355, 485, 495, 506, 538.
7	Introduced by Spiegel, Kemmis, Holding, and Rice: A memorial entitled: "A memorial to the Congress of the United States of America requesting it to assist the beet sugar industry in Montana."	169, 177, 188, 268, 281, 293, 391, 397, 408, 464,
8	Introduced by Carlson and O'Connor: A memorial entitled: "A memorial to congress requesting the enactment of a bill introduced by the Honorable Burton K. Wheeler in the United States Senate seeking the establishment of the United States Assay Office at Helena."	206, 286, 309, 374, 379, 425, 501, 513, 514, 524, 599.
9	A Memorial to the Federal Hospital Board in charge of the allocation of funds appropriated by Congress for the construction of Veterans' hospital facilities requesting the allocation of funds for the addition of hospital facilities at Fort Harrison, Montana.	286, 309, 374, 383, 425, 501, 513, 514, 524, 599.
10	A resolution memorializing the President of the United States and the Federal Housing Administrator to apply the federal housing act to rural localities within the State of Montana	274, 285, 335, 346, 358, 501, 513, 514, 524, 599.
11	Introduced by Saylor, et al.: A memorial entitled: "A memorial to the congress of the United States of America urging the elimination of certain deferments now authorized by the present conscription law."	246, 286, 309, 366, 379, 414, 502, 513, 514, 524, 599.
12	Introduced by Busch: A memorial entitled: "A memorial to the congress of the United States requestnig enactment of such legislation as may be necessary to provide for payments to counties to reimburse them for loss of tax receipts resulting from the use of certain lands by the United States of America."	246, 331, 362, 381, 390, 426, 501, 505, 506, 537, 540.
13	Introduced by Stevens, Goodwin and Toole: A memorial entitled: "A memorial to the president of the United States and the representatives of Montana in the congress of the United States ex-	

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	pressing support of the president's national defense plans and the adoption by all honorable means to expedite the passage of the lend lease bill."	247.
14	Introduced by Morrow, Anson, McDaniel, Toomey, Harrison and Hunter: A memorial entitled: "A resolution memorializing the congress of the United States to exempt the incomes from gold mining from the excess profits tax of 1940."	247, 311.
HOUSE MEMORIALS		
1	Introduced by Friedl, Anderson, Scott, Beck, Dahlquist, Davey and Zuck: A House Memorial to the Congress of the United States requesting the enactment of appropriate legislation for the utilization of the power and water resources at the Fort Peck dam for irrigation development.	26, 33, 40, 54.
2	Introduced by Friedl, Lowe, Anderson, Reed, Dahlquist, Zuck, Davey, Beck, Tonn, Scott, Hageman, Green, Kemmis: A House Memorial to the Congress of the United States requesting that the proper authorities be urged to employ the utilities and facilities now available at Fort Peck, Montana, in the plan of national defense.	27, 40, 54.
	House Memorial for Deceased Members	85, 86.
HOUSE JOINT RESOLUTIONS		
1	Introduced by Toomey, Oliver, Dougherty, Scofield, Martin (Fergus), Flook: A Resolution entitled: "A resolution providing for the creation of a joint committee from the House of Representatives and the Senate of the State of Montana for the purpose of studying and investigating the present governmental organization of the State of Montana in all its departments, with a view to the recommendation of legislation at this present session of the Twenty-seventh Legislative Assembly for decreasing government agencies, effecting consolidations of services where compatible with the public service, insuring economies in operation, and elimination of alleged emergency powers, functions and bodies."	22, 64, 78, 83, 88, 98, 119, 129, 147, 160, 315, 398.
2	Introduced by the Committee on Employment: A House Joint Resolution entitled: A joint resolution declaring an emergency to exist and providing for compensation and employment of an additional assistant law clerk during this Twenty-seventh Legislative Assembly of the State of Montana	

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	pursuant of the authority granted by the Section 77 of the Revised Codes of Montana, 1935."	29, 31, 40, 42, 43, 48, 50, 53.
3	Introduced by Committee on Judiciary: A resolution entitled: "A joint resolution designating the third week in May as citizenship week in the State of Montana."	69, 75, 83, 88, 97, 154, 161, 163, 198, 451.
4	Introduced by Toomey: A house joint resolution entitled: "House joint resolution proposing an amendment to the constitution of the United States relative to taxes on incomes, inheritances and gifts, limiting the maximum rate of taxation on such sources for federal purposes and providing for exceptions in time of war and grave national emergencies."	247, 286.
HOUSE RESOLUTIONS		
1	Introduced by O'Connor: A resolution entitled: "A resolution to provide for the appointment of a House Committee to conduct an investigation into alleged violations of state gambling laws in the State of Montana, and granting to the Committee certain powers."	518, 519, 520, 547.
2	Introduced by Parker of Flathead, Kemmis, Byrne, Castles, Winters, Hess, James, Nelson, Beck, Zuck: A resolution directing the law enforcement officers of the State of Montana and of its several counties to proceed to enforce the provisions of the Montana Statutes which forbid gambling enterprises of various sorts and to keep such statutes continuously enforced.	588, 612.

INDEX TO SENATE BILLS

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Sub. 1	Introduced by the Committee on Public Lands: A bill for an act entitled: "An act to provide for the state forests, state forestry board, state forester, forest fire protection and fire wardens; defining and regulating the same; providing for the conservation and protection of forest lands and resources of the State of Montana; and providing penalties for the violation thereof; and repealing Chapter 128 of the Session Laws of the Twenty-sixth Legislative Assembly, 1939."	429, 444, 559.
3	Introduced by Simmons: A bill for an act entitled: "An act to amend Section 10149 of the Revised Codes of Montana, 1935, relating to estates less than fifteen hundred dollars to go to wife and minor child or minor children—those less than three thousand dollars be similarly administered."	109, 110, 255, 452, 455, 486, 504.
4	Introduced by Haynes: A bill for an act entitled: "An act limiting the time within which an action may be commenced to determine the validity of a tax deed."	90, 92, 255, 452, 455, 486, 504.
5	Introduced by Burke, Dahl, Mulholland, Cotter and Taylor: A bill for an act entitled: "An act to amend Chapter 82 of the Laws of the Twenty-fifth Legislative Session, 1937, relating to Public Welfare, but adding thereto a new part to be known as Part IX relating to payments to persons who have silicosis as herein defined; providing eligibility requirements; providing medical examinations and procedure for determining who are entitled to such payments; and providing administration by the State Department of Public Welfare and County Departments of Public Welfare, and prescribing their powers and duties."	131, 160, 162, 163, 171, 185.
6	Introduced by Wood of Carter: A bill for an act entitled: "An act to prohibit the employment of persons other than citizens by the state, counties, cities, towns, university, colleges, or public schools and providing for emergencies."	154, 155, 194, 231, 260, 336, 347, 453, 457, 486, 504.
7	Introduced by Mahoney: A bill for an act entitled: "An act providing for the lettering to be placed on state owned motor vehicles, the kind, size, and place of letter; vehicles in the service of the gov-	

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	ernor and the highway patrol excepted, and providing penalties therefor."	90, 92, 124, 128, 138, 139, 150.
Sub. 11	Introduced by Committee on Sanitary Affairs: A bill for an act entitled: "An act licensing commercial cold storage plants and refrigerated locker plants, and providing the fees therefor; providing for the inspection of said plants by the state board of health and granting the state board of health power to make regulations under specified conditions, and providing for appeals therefrom; providing for loss; providing for storage liens and enforcement of liens, and providing penalties for the violation of this act."	300, 302, 406.
14	Introduced by D'Ewart: A bill for an act entitled: "An act to amend Section 2835 of the Revised Codes of Montana, 1935, as amended by Chapter 162 of the session laws of 1937, relating to workmen's compensation; providing for the state attorney general to be the legal adviser to the industrial accident board; repealing all acts and parts of acts in conflict herewith."	280, 281, 459, 469, 505, 524, 525.
15	Introduced by D'Ewart: A bill for an act entitled: "An act to amend Section 2822 of the Revised Codes of Montana, 1935, relating to workmen's compensation; providing for bonds for the treasurer and other members of the Industrial Accident Board; repealing all acts and parts of acts in conflict herewith."	154, 155, 252, 268, 453, 469, 487, 491, 504.
16	Introduced by Simmons and Maddox: A bill for an act entitled: "An act to amend Section 8289 of the Revised Codes of Montana, 1935, relating to acknowledgment of satisfaction of mortgage."	90, 92, 107, 115, 123, 150.
17	Introduced by Liggett: A bill for an act entitled: "An act providing the method whereby public administrators may continue to administer estates not closed at the termination of their term of office by being appointed as general administrators of said estates not closed, or may voluntarily be relieved from further performance of the trust, and prescribing a method whereby a successor in office to a public administrator whose term has expired may compel his predecessor to surrender to him the unfinished estates and property belonging to same and allowing compensation for services performed."	90, 92, 107, 115, 123, 150.
Sub. 18	Introduced by the Committee on Agriculture: A bill for an act entitled: "An act to repeal the	

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	following sections of Chapter 306 of the Revised Codes of Montana, 1935, Sections 3592.10, 3592.11, 3592.12, 3592.13, 3592.14, 3592.15, 3592.16, 3592.17, 3592.18, 3592.19, 3592.20, 3592.21, 3592.22, 3592.23, 3592.24, 3592.25, 3592.26, 3592.27, 3592.28, 3592.29, 3592.30, and Sections 3592.44, 3592.45, 3592.46, 3592.47, 3592.48, 3592.49, 3592.50, 3592.51, 3592.52, 3592.53, all relating to farm storage of grain."	137, 138, 192, 268, 272, 290, 301.
20	Introduced by Haynes: A bill for an act entitled: "An act to amend Section 9731 of the Revised Codes of Montana 1935, relating to the taking of appeals to the Supreme Court from a district court, and the judgments and orders from which appeals may be taken, and repealing all acts and parts of acts in conflict herewith."	154, 155, 319, 453, 455, 486.
21	Introduced by Nutt: A bill for an act entitled: "An act to amend Section 2815.30 Revised Codes of Montana, 1935, relating to the application and issuance of licenses to sell beer at retail, and to the qualifications of applicants."	230, 247, 260, 510, 511, 549.
22	Introduced by Mahoney: A bill for an act entitled: "An act to amend Section 1757 of the Revised Codes of Montana, 1935, relating to motor vehicle number plates by providing that certain distinctive letters appear on motor vehicle number plates assigned to motor vehicles owned and operated by the state, counties, municipalities and school districts; providing for certain distinctive letters to appear on motor vehicles of the truck and trailer type; providing the manner of numbering the same; providing that number plates shall be used only on motor vehicles to which assigned; providing the effective date hereof, and repealing all acts and parts of acts in conflict."	137, 138, 197, 202, 222, 250.
25	Introduced by Nutt: A bill for an act entitled: "An Act to amend Section 12, Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the hours during which liquor and beer may be sold."	391, 392, 510, 511, 512, 563, 567.
26	Introduced by Nutt, Ruffcorn, Waldrop, Hammond, Kalberg, Wilcoxon, Mahoney, Plank, Weinschrott, Burke, Robinson: A bill for an act entitled: "An act authorizing the remission of penalties and interest upon redemption of real property from tax sale, if such redemption is made on or before March 1, 1942."	109, 110, 125, 193, 232, 248, 260, 280, 281, 324, 330, 342.

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29	Introduced by Maddox: A bill for an act entitled: "An act to amend Section 4605.1 Revised Codes of Montana, 1935, relating to purchases made by boards of county commissioners in excess of one thousand (\$1,000.00) dollars."	154, 155, 258, 453, 456, 486.
30	Introduced by Maddox: A bill for an act entitled: "An act to amend Section 4742, Revised Codes of Montana, 1935, relating to the classification by counties by boards of county commissioners."	230, 247, 258, 453, 456, 486.
32	Introduced by Haynes: A bill for an act entitled: "An act to amend Section 10401 of the Revised Codes of Montana, 1935, relating to the appointment of guardians of minors; providing when such appointment may be made, and the notice to be given of the hearing of the petition, and repealing all acts and parts of acts in conflict herewith."	172, 173, 491.
33	Introduced by Haynes: A bill for an act entitled: "An act to amend Section 10412 of the Revised Codes of Montana, 1935, relating to the appointment of guardians of insane or other incompetent persons; providing where such petition shall be filed, the notice to be given of the hearing thereof, the presence of the supposed insane or incompetent person at said hearing, and repealing all acts and parts of acts in conflict herewith."	300, 302, 490.
36	Introduced by Committee on Oils and Leases: A bill for an act entitled: "An act to amend Section 1882.3 of the Revised Codes of Montana, 1935, relating to the granting of oil and gas leases on state owned lands, providing for rentals, filing fees, contiguity of land leased, cancellation and renewal of leases and designating preferential rights with regard to granting leases in unproven areas."	137, 138, 321, 453, 469, 478, 504.
39	Introduced by the Committee on Privileges and Elections: A bill for an act entitled: "An act relating to the voting by taxpayers on questions concerning the creation of a levy, debt or liability for or on the part of the State of Montana."	230, 247, 346, 453, 456, 486.
43	Introduced by Gilbert: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this state, and all proceedings heretofore taken for the authorization and issuance of bonds by such public bodies."	172, 173, 259, 453, 457, 460, 486.

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44	Introduced by Liggett and Balgord: A bill for an act entitled: "An act relating to the use of county road equipment and machinery on other than county roads and to permit the owner or one in control of real estate in the State of Montana to apply to the Board of County Commissioners of the county in which the real estate is situated for the permission to use county owned equipment and machinery, for improving said real estate, fixing the terms of said application and granting the Board of County Commissioners of the several counties of the state discretionary powers to lease or rent such equipment and machinery which may at the time be not in use and operation in said county."	172, 173, 258, 453, 457, 486.
46	Introduced by Chadwick: A bill for an act entitled: "An act to amend Section 3776.7 of the Revised Codes of Montana, 1935, as amended by Chapter 147 of the Twenty-sixth Legislative Assembly, 1939, relating to the establishment and description of Little St. Joe Game Preserve."	260, 261, 305, 453, 458, 486.
47	Introduced by Hazelbaker: A bill for an act entitled: "An act to amend Section 615 of the Revised Codes of Montana, 1935, fixing the time when certificates of other than party candidates may be filed."	199, 203, 346.
48	Introduced by Mahoney and Morrison: A bill for an act entitled: "An act to provide for the reemployment of elected officers and employees of the State of Montana and any political subdivision thereof, who shall hereafter serve in the military forces of the United States, upon the completion of their period of training and service; to provide for 'acting' officers to serve during such absence of elected officers; and relating to procedure to be followed to secure such reemployment."	280, 281, 342, 452, 458, 486.
49	Introduced by Dahl and Morrison: A bill for an act entitled: "An act amending Sections 4311 and 4328 of the Revised Codes of Montana of 1935, defining the boundaries of Cascade and Lewis and Clark Counties."	213, 252, 260, 276, 277, 290, 461, 465, 504.
Sub. 50	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Section 14 of Chapter 37 of the session laws of 1937 relating to exemptions from the provisions of the act regulating the practice of photography."	413, 444, 491.
51	Introduced by Committee on Counties and Towns: A bill for an act entitled: "An act to amend Sec-	

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	tion 5070 of the Revised Codes of Montana, 1935, as amended by Chapter 18, Session Laws, 1939, relating to the awarding of contracts by cities and towns so as to provide for advertising of bids for contracts and fixing the period for such advertisement."	213, 214, 284, 461, 469, 478, 504.
52	Introduced by Maddox: A bill for an act entitled: "An act to amend Section 11048.1 of the Revised Codes of Montana, 1935, relating to the penalty for the sale or giving away or disposing of intoxicating liquors to any person under the age of twenty-one years, and repealing all acts and parts of acts in conflict therewith."	391, 555, 562, 566, 593.
53	Introduced by Arnold: A bill for an act entitled: "An act assenting to the provisions of an act of congress entitled: 'An act to provide that the United States shall aid the states in wild life restoration projects and for other purposes,' approved September 2, 1937, and known as 50 Federal statutes 917, and for the passage of appropriate legislation required thereunder, and vesting certain authority in the Montana Fish and Game Commission in connection therewith, and providing certain reservations in the acceptance of the federal benefits and in the operation of said act of congress within the State of Montana and in the operation of this act."	270, 271, 474, 498, 507, 546.
55	Introduced by Gilbert, Dahl, and Simmons: A bill for an act entitled: "An act to amend Section 9990 of the Revised Codes of Montana, 1935, relative to the duties of public administrator."	199, 203, 282, 461, 465, 486, 504.
57	Introduced by Bateman: A bill for an act entitled: "An act to amend Sections 5166 and 5167 of the Revised Codes of Montana of 1936, relating to the authority of cities and towns to establish swimming pools, skating rinks, playgrounds, and museums, and the power of the municipal council with respect to the same."	199, 203, 385, 461, 467, 486, 504.
58	Introduced by Nutt: A bill for an act entitled: "An act to amend Section 1999 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 130 of the laws of Montana, twenty-fifth session, 1937, relating to the classification of property for taxation."	315, 316, 492, 493, 502, 505, 520, 555.
59	Introduced by Burke, Plank, Campbell, Drumheller and Mahoney: A bill for an act entitled: "An act authorizing and empowering the governor of	

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	the State of Montana, with the aid of an advisory committee, to make a comprehensive and constructive study and investigation of the finances, business, affairs, and policies of the State of Montana, and of its several offices and of all of its bureaus, boards, commissions, departments and institutions for the purpose of disclosing whether there exist any abuses, inefficiency, duplication of work or services, or undue, unnecessary, extravagant or wasteful expenditures of state or public money or funds, and for the purpose of disclosing whether any of such offices, bureaus, boards, commissions, departments, or institutions may be abolished, reorganized or consolidated for the purpose of doing away with duplication of work or services, reducing expenditures of state and public money or funds, and generally simplifying the operations of the state government, its institutions and departments, and providing some method or system for the conduct of its finances, business, affairs, and policies in a uniform, orderly, businesslike and economical manner; authorizing the governor to employ experts to make such investigation; providing for reports to be made to the governor during the progress of such investigation and after the same is fully completed; authorizing the governor, with the advice of the advisory committee, to adopt and put into effect any recommendation or recommendations contained in any report, when approved by him, and when no legislative action is necessary therefor; providing for a report by the governor, after the completion of such investigation, to the twenty-eighth legislative assembly."	300, 302, 340, 547.
60	Introduced by Drumheller and Keeley: A bill for an act entitled: "An act to amend Section 12090, of the Revised Codes of Montana, 1935, relating to the duty of the sheriff on judgments of imprisonment."	230, 247, 307, 461, 467, 486, 487, 555, 558, 559, 593.
61	Introduced by Plank: A bill for an act entitled: "An act validating certain tax deed and providing that no such deed shall be held invalid by reason of the failure of any county to comply with the requirements of the land classification laws of the State."	230, 247, 364, 452, 458, 486, 504.
62	Introduced by Liggett, Clayton, Findlater, Fowlie, Henderson, Morrison, and Chadwick: A bill for an act entitled: "An act requiring the countersignature of insurance policies by resident agents; limiting right of countersignature to resident agents of commission paying companies excepting such companies soliciting business exclusively by salaried representatives; providing for a minimum	

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	commission which shall be payable to resident counterisgning agents on risks located in this State that the policies for which originate without the state; resident agents to keep records of policies so originating without the State so that the State may receive the premium tax; permitting exchange of business and division of commission by resident agents; providing that this act shall not be applicable to rural mutual insurance companies nor to life insurance companies nor to fraternal benefit societies; providing penalties for the violation of this act; and repealing all acts and parts of acts in conflict herewith."	270, 271, 360, 452, 453, 461, 466, 486, 504.
63	Introduced by Dahl: A bill for an act entitled: "An act to amend Section 1019.5 and Section 1019.6 of the Revised Codes of Montana of 1935, relating to the preparation and adoption of preliminary school district budgets and the giving of notice of meeting to prepare and adopt such preliminary budgets and repealing all acts and parts of acts in conflict herewith."	300, 302, 352, 461, 466, 504.
64	Introduced by Dahl: A bill for an act entitled: "An act to amend Section 1263.4 and 1263.5 of the Revised Codes of Montana, 1935, as amended by Chapter 166 of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to the budget meeting of boards of high school trustees and the giving of notice of such meetings."	300, 302, 352, 461, 466, 504.
65	Introduced by Gilbert: A bill for an act entitled: "An act to amend Section 1002 and 1003 of the Revised Codes of Montana, 1935, as amended by Chapter 83 of the twenty-sixth legislative assembly of 1939, relating to the qualifications of the electors, challenges and oath of voters for school elections, and repealing all acts or parts of acts in conflict herewith."	230, 247, 346, 461, 466, 504.
Sub. 67	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Sections 1, 5 and 8 of Chapter 176 of the laws of the Twenty-fifth Legislative Assembly of Montana for 1937; relating to an act providing for regulations of the preparation, possession and sale of narcotics in the State of Montana; defining certain words and phrases in connection therewith; providing for the issuance of licenses and qualification therefor; defining the lawful possession thereof; exempting certain preparations in which narcotics may be used; providing for certain records to be kept; providing for the manner of keeping, form and preservation of such records; providing for the use	

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	of labels of narcotic drugs; defining the unlawful possession of narcotic drugs; providing for the issuance and execution of warrants, and for the seizure of narcotic drugs; providing for the disposition of such narcotic drugs, implements, furniture, fixtures, vehicles, and other articles so seized; defining the duties of peace officers to arrest offenders, and to seize narcotic drugs; forbidding the replevin of narcotic drugs and other property; defining nuisances in connection therewith; defining certain powers and duties of the secretary of the state board of health in connection with the provisions of this act; relating to obtaining of narcotics by fraud and deceit; providing for enforcement and cooperation for and in accordance with the provisions of this act; defining the effect of acquittal and conviction under the federal narcotic laws; relating to the constitutionality of this act; relating to the interpretation of this act.".....	429, 444, 475, 513, 521, 555.
70	Introduced by D'Ewart: A bill for an act entitled: "An act defining 'maternity hospitals' and providing for the licensing, inspection, and regulation of maternity hospitals by the state board of health, and providing a penalty for the violation of the provisions of this act, and repealing all acts and parts of acts in conflict with this act."	300, 302, 331, 487, 492, 504.
72	Introduced by Waldrop, Balgord, McQuitty, Ruffcorn, Hammond, Woods (Judith Basin): A bill for an act entitled: "An act to amend Section 9430.2 of the Revised Codes of Montana, 1935, relating to when truck or automobile is exempt from attachment of execution."	280, 281, 342, 452, 459, 486.
75	Introduced by Simmons: A bill for an act entitled: "An act providing for the appointment of a water commissioner to divide, admeasure and distribute decreed or stored waters in ditches owned by co-partnership, tenants in common shareholders or corporations."	391, 392, 493, 536, 540, 555, 568.
76	Introduced by Campbell: A bill for an act entitled: "An act to amend Section 5083.6 Revised Codes of Montana, 1935, relating to city budgets, providing for hearings thereon; the manner in which appropriations contained therein shall be made and amounts thereof determined, the time and manner of final adoption, the time and manner for fixing tax levies requiring copies thereof to be filed with the state examiner, and fixing penalty for failure to so file copies."	351, 352, 385, 487, 494, 509, 546.

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77	Introduced by Mahoney and Morrison: A bill for an act entitled: "An act to amend Section 562 of the Revised Codes of Montana, 1935, as amended by Chapter 147 of the Laws of the Twenty-fifth Legislative Assembly of 1937, providing for the cancellation of registry for failure to vote or for voting by absent voter's ballot, the manner and re-registration thereafter, and providing that the registry cards of persons serving in the armed forces of the United States and who vote by absent voter's ballot during such service shall not be cancelled under certain conditions."	391, 490, 505, 521, 536, 589, 590, 599, 600.
Sub. 78	Introduced by Committee on Sanitary Affairs: A bill for an act entitled: "An act relating to the use of cadavers for the teaching of anatomical science in the State of Montana, and providing for the procurement of use of said cadavers, and repealing all acts and parts of acts in conflict herewith."	371, 372, 405, 494, 521, 555.
79	Introduced by Ecton: A bill for an act entitled: "An act to amend Part 3 of Section 2295.10 of the Revised Codes of the State of Montana for 1935; exemptions, change of status of taxpayer."	315, 316, 492.
82	Introduced by Baker (Dawson), and Simmons: A bill for an act entitled: "An act to amend Sections 1431 and 1443 of the Revised Codes of Montana, 1935, of the political code as the same are amended by Chapter 117 of the session laws of 1939, relating to the apprehension, examination, hearing and commitment of insane persons and providing for their maintenance and for procedure prior to hearing or commitment, and repealing Sections 1432 and 1453 of the Revised Codes of Montana, 1935, of the political code, as amended by Chapter 117 of the session laws of 1939, and all acts and parts of acts in conflict herewith."	351, 353, 364, 494, 522, 555.
84	Introduced by Lott: A bill for an act entitled: "An act to amend Section 3338 of the Revised Codes of Montana, 1935, relating to the publication of description of estrays sold—disposition of proceeds remaining in the state treasury."	300, 301, 376, 494, 522, 555.
Sub. 85	Introduced by the Committee on Stock Growing and Grazing: A bill for an act entitled: "An act to amend Section 3298.18, Revised Codes of Montana, 1935, providing for the inspection and marking of hides of slaughtered cattle; providing for records thereof, and making it the duty of the sheriff to inspect and mark said hides; providing for the appointment of and compensation of deputy	

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	sheriffs for the purpose of the act; providing for inspection by the livestock commission; providing for revocation of a butcher's or meat peddler's license for failure to report violations of this act known to him; and repealing all acts and parts of acts in conflict herewith."	413, 444, 493, 495, 497, 506.
87	Introduced by Baker of Dawson: A bill for an act entitled: "An act to authorize counties, cities, towns and school districts to employ fiscal agents to assist in refunding outstanding bonded indebtedness and validating certain contracts heretofore entered into in connection with such refunding."....	315, 459, 494, 522, 539, 540, 543, 544, 562, 565, 600.
89	Introduced by Baker of Dawson: - A bill for an act entitled: "An act authorizing police courts of cities and towns to order persons to refrain from operating motor vehicles when such persons have been convicted of driving motor vehicles while intoxicated or driving motor vehicles in a reckless manner and to provide penalties for violations of such orders."	315, 342.
90	Introduced by Hazelbaker, Pauline, Haynes, and Campbell: A bill for an act entitled: "An act to designate a certain portion of the state biological grounds on Yellow Bay, Flathead Lake, Lake County, Montana, as a scientific and recreational park and permitting the development thereof for public use."	315, 326, 498, 508, 546.
91	Introduced by Fowlie and Alvord: A bill for an act entitled: "An act to amend Section 6156 of the Revised Codes of Montana of 1935; relating to the publication of the state auditor's report and certificate as to insurance companies."	371, 372, 396, 420.
97	Introduced by the Committee on Counties and Towns: A bill for an act entitled: "An act to amend Section 1617 Revised Codes of Montana, 1935, relating to the powers of County Commissioners in levying property and poll taxes for highway purposes."	324, 344, 498.
98	Introduced by Taylor: A bill for an act entitled: "An act providing for the parole of patients from the state insane asylum and for the revocation of such parole and providing for furnishing patients discharged or paroled from state asylum with clothes; and repealing Section 1422 of the Revised Codes of Montana, 1935."	351, 353, 459, 498, 507, 546.
99	Introduced by the Committee on Oils and Leases: A bill for an act entitled: "An act to amend Sec-	

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	tion 1882.2 of the Revised Codes of Montana of 1935, relating to the area to be leased, limitations, term of leases and operating agreements on state lands."	315, 320, 505, 523, 555.
100	Introduced by Dahl: A bill for an act entitled: "An act to amend Section 5668.44 of the Revised Codes of Montana, 1935, relating to public works contractors' bond, the amount and terms of the bond, the notice of the claimant, the form of said notice, actions on said bonds, and special provisions in the bonds, and repealing all acts or parts of acts in conflict herewith."	413, 445, 475, 513, 523, 555.
101	Introduced by Committee on Boards and Offices: A bill for an act entitled: "An act to transfer the division of services for crippled children from the State Department of Public Welfare to the State Board of Health and prescribing its powers and duties."	324, 339, 512, 526, 539, 546, 555, 593.
104	Introduced by Mulholland: A bill for an act entitled: "An act amending Section 9429 of the Revised Codes of Montana, 1935, relating to the exemption of earnings of a judgment debtor."	351, 353, 459.
105	Introduced by Alvord: A bill for an act entitled: "An act to amend Section 6305, Revised Codes of Montana, 1935, relating to fraternal benefit societies and the definition thereof."	371, 372, 475, 498, 507, 546.
106	Introduced by Robinson and Maddox: A bill for an act entitled: "An act to amend Chapter 198 of the Twenty-sixth Legislative Assembly relating to regulating the speed of motor vehicles on the highways of the State of Montana."	429, 445, 460, 498, 502, 504, 512, 549, 562, 600.
109	Introduced by Dahl and Clayton: A bill for an act entitled: "An act to amend Section 5111 of the Revised Codes of Montana, 1935, relating to the powers of mayors to suspend firemen."	413, 445, 463.
110	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3653 of the Revised Codes of Montana for 1935, relating to Fish and Game Commission, its powers and duties."	391, 559, 563, 568, 600.
111	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3656 of the Revised Codes of Montana for 1935,	

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	relating to deputy, fish and game wardens and appointments."	351, 353, 517, 563, 590, 600.
112	Introduced by the Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3655 of the Revised Codes of Montana for 1935, relating to the state fish and game warden; qualifications and duties."	413, 445, 517, 536.
114	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend Section 3579 of the Revised Codes of Montana, 1935, relating to charges by public warehousemen for the handling and storage of grain."	391, 392, 601.
Sub. 116	Introduced by Committee on Counties and Towns: A bill for an act entitled: "An act relating to the sale and lease of unredeemed tax title property by county commissioners; permitting counties to reserve oil, gas, and mineral rights and to sell or lease the same; providing the method of sale or lease, the giving of notice of such sale, and the terms thereof; providing for the taxation thereof; after sale; authorizing the exchange of property; validating leases heretofore made; and repealing Chapter 181, Laws of 1939, Chapter 193, Laws of 1939, and all other acts and parts of acts in conflict herewith."	413, 445, 502, 536, 540, 568, 593.
119	Introduced by Liggett, Dahl and Plank: A bill for an act entitled: "An act amending Section 3450, Revised Codes of Montana, 1935, relating to the powers and duties of the state coal mine inspector."	429, 445, 485, 513, 523, 555.
Sen. Sub. for H.B. 119	Introduced by Committee on Judiciary: A bill for an act entitled: "An act providing for the elimination of certain lands from drainage districts, and providing for procedure relative thereto."	539, 551, 553, 562, 563, 591, 607, 608, 612.
121	Introduced by Robinson: A bill for an act entitled: "An act to amend Section 1746.2 of the Revised Codes of Montana, 1935, relating to the penalty for operating a motor vehicle while in an intoxicated condition."	351, 353, 515, 549, 561, 600.
124	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3694 of the Revised Codes of Montana, 1935, relating to restrictions of manner of taking and possessing fish and game and powers of commission relating thereto."	371, 517, 549, 559, 569, 593.

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125	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3696 of the Revised Codes of Montana of 1935, relating to the open season on elk—waste of meat and penalties for violation of this act."	391, 516, 563, 591.
126	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3697 of the Revised Codes of Montana of 1935, relating to open season on deer—waste of meat and penalties for violation of this act."	391, 517, 563, 590,
127	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3703 of the Revised Codes of Montana, 1935, relating to closed season and bag limit on migratory game birds."	324, 325, 474, 513, 524, 555.
Sub. 128	Introduced by Judiciary Committee: A bill for an act entitled: "An act to amend Section 3719 of the Revised Codes of Montana, 1935, relating to killing of moose, bison, buffalo, caribou, or antelope being a misdemeanor."	391, 392, 547.
129	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3701 of the Revised Codes of Montana of 1935, relating to open and closed season on game birds and penalties for violation of this act."	371, 560.
130	Introduced by Findlater: A bill for an act entitled: "An act empowering employees of the state industrial school to convey boys from the place of commitment to such school."	413, 445, 473, 505, 526, 555.
131	Introduced by Committee on Dairies and Dairying: A bill for an act entitled: "An act to amend Section 2620.43 of Chapter 240 of the Revised Codes of Montana, 1935, defining retailer, wholesaler, person and oleomargarine or any product or manufacture made in whole or in part of animal and vegetable oils, and prohibiting the use of coloring matter in oleomargarine, and providing the manner in which it shall be packed, marked and labeled."	429, 445, 506, 536, 540, 555.
132	Introduced by Maddox and Robinson: A bill for an act entitled: "An act to amend Section 1741.7 and Section 1741.8 of the Revised Codes of Montana, 1935, as amended by Chapter 182 of the session laws of Montana, 1937, relating to acts constituting crimes in the operation of motor vehicles and specifically repealing and deleting subsection 5 of Section 1741.7 of the Revised Codes of Montana, 1935, as amended by Chapter 182 of the session laws of Montana, 1937, and specifically repealing and deleting parts of Section 1741.8 of	

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	the Revised Codes of Montana, 1935, as amended by Chapter 182 of the session laws of Montana, 1937, and prescribing new offenses and penalties." 413, 445, 476.	
136	Introduced by Weinschrott, Plank, Baker of Dawson, and McQuitty: A bill for an act entitled: "An act to amend Section 681 of the Revised Codes of Montana as amended by Chapter 81 of the session laws of the Twenty-sixth, 1939, Legislative Assembly of the State of Montana relating to the form, size and color of ballot to be used in general elections in the State of Montana; to provide for the designation of office and the manner of placing the names of candidates and their political designation, to provide for placing names of candidates for judicial offices without political designation, and to provide the number of columns which ballots may contain, and to provide for rotation of names on the ballot; and to provide for the placement of initiatives, referendums, and constitutional amendments on the official or separate ballot, and to repeal all acts and parts of acts in conflict herewith."	429, 445, 492.
137	Introduced by Angvick: A bill for an act entitled: "An act to amend Section 4749.7 of the Revised Codes of Montana, 1935, relating to the salary and bond of officers upon consolidation of two or more county offices; providing for the appointment of deputies of officers of a consolidated office; and providing that the board of county commissioners shall determine the number of such deputies, as said section was amended by Chapter 107 session laws 1937."	413, 446, 460, 513, 526, 555.
142	Introduced by Drumheller: A bill for an act entitled: "An act providing for the publication by the unemployment compensation commission of the names of applicants for unemployment compensation benefits in a newspaper in the county in which said applicants reside."	413, 446, 493, 512, 536, 563.
145	Introduced by Gilbert and Lott: A bill for an act entitled: "An act fixing the salaries of county assessors in counties of the seventh class having a taxable valuation of more than \$2,500,000.00, but not exceeding \$5,000,000.00."	413, 446, 460, 513, 536, 549, 563, 567, 593.
147	Introduced by Morrison and Mahoney: A bill for an act entitled: "An act to provide that persons leaving employment and entering military service of the United States shall, upon their return from such service, be entitled to unemployment compensation benefits upon their failure to secure employment."	413, 446, 554.

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148	Introduced by Bateman: A bill for an act entitled: "An act to provide for the retirement of commissioned officers of the national guard of Montana; prescribing the grounds for such retirement; the rank of retired officers; detail of retired officers to active duty; and making the act retroactive.".....	414, 446, 547, 563, 567, 593.
153	Introduced by Haight: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 11 of Article XI of the Constitution of the State of Montana, relating to the appointment, personnel, powers, duties and terms of office of the state board of education."	429, 446, 487, 505, 527, 555.
160	Introduced by Mahoney and Morrison: A bill for an act entitled: "An act to amend Section 459.1 of the Revised Codes of Montana of 1935, relating to expenses of all officers and employees of the State of Montana."	413, 446, 474, 498, 508, 546.
161	Introduced by Haynes: A bill for an act entitled: "An act to amend Section 10531, Revised Codes of Montana, 1935, relating to facts which may be proved on trial and repealing all acts and parts of acts in conflict herewith."	391, 392, 491.
162	Introduced by Cotter and Keeley: A bill for an act entitled: "An act amending Section 10249 of the Revised Codes of the State of Montana for 1935 pertaining to the power of the judge of the district court to empower an administrator, executor or guardian to mortgage, lease, option or sell real estate and adding a new section to the said Revised Codes of the State of Montana by adding a new section thereto to be known as Section 10256.1 prescribing the manner of obtaining authority for sale of or for option to purchase mining property.".....	429, 446, 538, 562, 566, 600.
169	Introduced by Burke nad Cotter: A bill for an act entitled: "An act to amend Section 1742, Revised Codes of Montana, regulating the speed and method of operation of motor vehicles and granting to the highway patrol concurrent jurisdiction with local peace officers over all arterial highways.".....	429, 447, 491.
173	Introduced by Ecton: A bill for an act entitled: "An act to amend Sections 5502 and 5503 Revised Codes of Montana, 1935, relating to the fiscal year of municipalities with the commission-manager form of government."	429, 447, 460, 486, 505, 528, 555.
175	Introduced by Ecton: A bill for an act entitled: "An act to amend Section 6 of Chapter 80, laws of	

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	the Twenty-fifth Legislative Assembly of the State of Montana, 1937, relating to unfair competition and discrimination, by providing for the exemption of the State of Montana and its institutions from the provisions thereof; repealing all acts in conflict herewith."	391, 392, 460, 505, 528, 555.
176	Introduced by Simmons: A bill for an act entitled: "An act to amend Section 5005 of the Revised Codes of Montana, 1935, relating to election and terms of aldermen."	371, 372, 492, 536, 541, 555.
177	Introduced by Campbell, Simmons and Alvord: A bill for an act entitled: "An act to amend Section 9117 of the Revised Codes of Montana, 1935, relating to publication of summons and to provide for the service by publication of summons in cases where unknown persons are made parties defendant."	371, 372, 475, 505, 509, 546.
178	Introduced by Campbell, Simmons, Alvord: A bill for an act entitled: "An act to provide for the making of parties to actions proceedings affecting real, personal or mixed property by the designations of unknown owners or unknown heirs or unknown devisees or by any and all of such designations and for the manner of making such persons parties, and for the effect of judgments and decrees rendered against such parties in such actions or proceedings."	391, 392, 475, 498, 505, 528, 555.
183	Introduced by Mundy: A bill for an act entitled: "An act to amend Sections 4, 8 and 13, Chapter 84, laws of the Twenty-fifth Legislative Assembly of the State of Montana, as amended by Chapter 221, laws of the Twenty-sixth Legislative Assembly of the State of Montana, relating to regulating, licensing and sale of liquor at retail in the State of Montana."	414, 447, 555, 556, 562, 565, 593, 600, 614, 615, 617, 624.
184	Introduced by Haight, Hazelbaker, Simmons and Bateman: A bill for an act entitled: "An act to amend Section 831 of the Revised Codes of Montana, 1935, relating to the appointment and term of office of members of the state board of education."	414, 447, 510, 536, 541, 555.
186	Introduced by Mundy: A bill for an act entitled: "An act to amend Section 1783 of the Revised Codes of Montana, 1935, by providing for a five member commission; and providing for the dis-	

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	tricting of the State of Montana into five commissioner districts."	429, 447, 477, 505, 509, 546.
Sub. 189	Introduced by the Committee on State and County Economies: A bill for an act entitled: "An act to regulate the storage and use of state-owned automobiles, cars, trucks, or other vehicles of transportation within the State of Montana; providing penalties for the violation of the provisions of this act and repealing all acts or parts of acts in conflict herewith."	414, 447, 484, 513, 529, 555.
191	Introduced by Martinson: A bill for an act entitled: "An act to amend Section 1759, Revised Codes of Montana, 1935, as amended by Chapter Seventy-two, laws of the Twenty-fifth Legislative Assembly, 1937, relating to application for registration of motor vehicles and payment of license fees thereon, by providing for the collection of city taxes on motor vehicles and payment thereof by county treasurer to city treasurer; repealing all acts in conflict herewith."	429, 447, 501, 524, 525.
192	Introduced by Morrison: A bill for an act entitled: "An act providing for a system of apprenticeship whereby voluntarily made agreements of apprenticeship would be encouraged; establishing standards for such agreements, creating an apprenticeship council of apprenticeship and defining their duties hereunder; repealing Section 11520 of the Revised Codes of Montana, 1935."	429, 447, 474, 498, 508, 524, 593, 600, 608, 609, 610, 613.
195	Introduced by Nutt, Alvord and Dahl: A bill for an act entitled: "An act providing for the creation and appointment of the Montana preparedness and advisory commission and defining its powers and duties; and for carrying out the purposes thereof."	429, 447, 453, 513, 536, 562, 566, 593.
196	Introduced by Robinson: A bill for an act entitled: "An act to create a Montana highway traffic advisory committee to the war department, designating the officers of the aforesaid committee, delegating to said committee the power to cooperate with governmental agencies in the matter of plans for transportation of troops and military equipment over the highways; providing for the rapid movement of said troops; providing for an inventory of trucks and buses in the state; providing for highway safety training program, and repealing all acts and parts of acts in conflict herewith."	483, 493, 505, 535, 555.

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SENATE JOINT MEMORIALS		
1	Introduced by Burke: A joint memorial entitled: "A memorial to the Congress of the United States for the passage of an act incorporating the principles of the Townsend National Recovery Plan substantially as set forth in a bill entitled House Resolution 3264, introduced into the House of Representatives in the Third Session of the Seventy-sixth Congress of the United States on February 1, 1940."	68, 70, 101, 104, 114, 122, 141, 142, 149, 150.
2	Introduced by Drumheller: A joint memorial entitled: "A joint memorial to the Congress of the United States requesting their consideration and notice of conditions tending to weaken and undermine the democracy we are striving to perpetuate."	68, 71, 78, 83, 93, 114.
3	Introduced by Mahoney, Plank and Alvord: A joint memorial entitled: "A memorial in support of the Committee of Investigation of Un-American Practices."	68, 71, 75, 83, 94, 114.
4	Introduced by Wood, Hammond, Findlater, Burke, Nutt, Haynes, Baker of Dawson, Weinschrott, Toman: A memorial entitled: "A memorial in relation to the construction of a water conservation project in the valley of the Little Missouri river for the irrigation of lands in the Little Missouri valley in Wyoming and Montana."	90, 92, 108, 115, 123, 150.
5	Introduced by Peterson, Wilson and Plank: A joint memorial entitled: "A joint memorial of the Senate and House of Representatives of the State of Montana to the President of the United States requesting an executive order raising the present tariff on mustard seed, and on mustard meal seed and on oil derived from mustard seed."	109, 110, 130, 138, 139, 150.
6	Introduced by Peterson, Plank and Wilson: A joint memorial of the Senate and House of Representatives of the State of Montana to the Honorable Claude R. Wickard, Secretary of Agriculture, Washington, D. C., requesting that the agricultural marketing service be directed to take steps leading to the establishment of federal standards grading commercial mustard seed."	109, 110, 130, 138, 140, 150.

No.	Title	Page
7	Introduced by Mundy, Ross, Clayton, Morrison, Haight, Robinson, Drumheller: A memorial entitled: "A memorial to the congress of the United States requesting the enactment of appropriate legislation to create an Indian reservation for all Indians of one-half or more degree of Indian blood living on the outskirts of various Montana cities."	154, 155, 166, 184, 219, 250.
9	Introduced by Arnold, Simmons, Olmstead: A memorial entitled: "A memorial to the congress of the United States urging the uses of domestic chromium and chromite ores prior to those now imported."	154, 155, 166, 184, 219, 250.
10	Introduced by Campbell, Cotter, Gilbert, Lott and Martinson: A memorial entitled: "A resolution memorializing the congress of the United States for the passage of legislation authorizing the continuance of the purchase of silver."	230, 247, 287, 512, 529.
11	Introduced by the Committee on Stock Growing and Grazing: A memorial entitled: "A memorial memorializing the Honorable Franklin D. Roosevelt, President of the United States; the Honorable Cordell Hull, Secretary of State of the United States; the senators and representatives in congress from the State of Montana; and the foreign relations committee of the senate of the United States, opposing change of sanitary regulations governing the importation of livestock from countries where foot and mouth disease exists."	230, 248, 274, 512, 529, 555.
12	Introduced by Haight and Robinson: A Senate Joint Memorial entitled: "A Senate Joint Memorial requesting consideration for persons engaged in farming or the livestock business within the Fort Peck reservoir purchase area."	371, 372, 474, 512.
13	Introduced by Nutt: A Senate Joint Memorial entitled: "A Senate Joint Memorial requesting Congress for the enactment of legislation which gives to the Congress of the United States the right and sole authority to declare and designate navigable rivers or waters of the United States; such authority shall not be subject to the jurisdiction of the chief of army engineers, the secretary of war, or the federal power commission, said rivers or parts thereof, and recognizing the prior rights of states to the waters of navigable streams for irrigation purposes."	371, 372, 395, 512.
14	Introduced by Campbell: A Memorial entitled: "A Memorial to the Honorable Franklin D. Roosevelt, President of the United States; the Honorable Henry L. Stimson, Secretary of War; the Honor-	

No.	Title	Page
	able Burton K. Wheeler, the Honorable James E. Murray, Senators from the State of Montana; the Honorable James F. O'Connor and the Honorable Jeannette Rankin, members of the House of Representatives from the State of Montana; relating to the utilization of facilities at Fort Missoula, Montana."	371, 372, 396, 512, 534, 555.
15	Introduced by Maddox: A memorial entitled: "A memorial to the president of the United States and representatives from the State of Montana and Wyoming in the congress of the United States requesting a careful consideration and prompt support in the passage of an act providing for the construction of storage of water by the war department, and that such provisions be made as will assure the people of Montana and Wyoming of water necessary for their present and potential needs for domestic and irrigation purposes by the building of proper dams in the Big Horn River in Montana and Boysen, Wyoming."	414, 48, 485, 512, 535, 555.
16	Introduced by Committee on Fish and Game: A Memorial entitled: "A memorial in relation to the hours of open season on and possession of certain migratory game birds within the State of Montana."	371, 372, 474, 512, 535, 555.
SENATE JOINT RESOLUTIONS		
1	Introduced by the Committee on Judiciary: A resolution entitled: "A joint resolution declaring an emergency to exist and providing for employment of, and compensation for a competent secretary or committee clerk for the senate committee on judiciary during the twenty-seventh legislative assembly of the State of Montana pursuant to the authority granted by Section 77 of the Revised Codes of Montana, 1935"	230, 247, 306, 452, 455, 486.
2	Introduced by Committee on Employment: A joint resolution entitled: "A joint resolution declaring an emergency to exist up to and including March 6, 1941 and providing for the compensation and employment of additional help in addition to the employees enumerated in Section 62 of the Revised Codes of Montana for 1935 for the Senate during the Twenty-seventh Legislative Assembly of the State of Montana pursuant to the authority granted by Section 77 of the Revised Codes of Montana for 1935 and providing that such additional employment and said emergency shall cease not later than March 6, 1941."	109, 110, 114, 115, 115, 122.

HOUSE JOURNAL

of the

Twenty-Seventh Legislative Assembly

of the

State of Montana

FIRST DAY

House of Representatives,
Helena, Montana,
January 6, 1941.

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 o'clock noon, the House of Representatives of the Twenty-seventh Legislative Assembly of the State of Montana, was called to order by the Honorable Sam W. Mitchell, Secretary of State of the State of Montana.

The Secretary of State then appointed Reverend Charles E. Cunningham of Helena, Montana, Temporary Chaplain; E. N. Joffray of Clancy, Montana, Temporary Sergeant-at-Arms, James P. Brennan of Sidney, Montana, Temporary Chief Clerk; and Hilda Richeson of Red Lodge, Montana, Temporary Journal Clerk.

Invocation by the Reverend Charles E. Cunningham.

The Chief Clerk called the roll and the members presented their certificates of election.

The Honorable Leif Erickson, Associate Justice of the Supreme Court of Montana, having been introduced by the Secretary of State, administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana and that I will discharge the duties of my office as a member of the Legislature of the State of Montana with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; and I have not knowingly violated any election law of the State of Montana, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, SO HELP ME GOD."

Thereupon the following members, having presented their certificates of election, subscribed to the foregoing oath:

Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon,

Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin (Madison), Martin (Fergus), Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker (Wibaux), Parker (Flathead), Parker (Cascade), Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Stromnes, Tonn, Toole, Toomey, Tyler, Vanek, Watson, Welcome, White, Williams, Wilson, Winters, Zuck. All present.

The Secretary of State having called for nominations for Speaker, Byrne of Toole nominated E. J. Stromnes of Cascade County, and Green of Dawson nominated Ory J. Armstrong of Flathead, and said nominations were duly seconded. There being no other nominations for Speaker, the Secretary of State declared the nominations closed.

The following votes were cast for Stromnes:

Ahern, Antrim, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Byrne, Cannon, Clifford, Cole, Cummings, Curran, Davey, Dougherty, Freshman, Friedl, Goodwin, Gunderson, Harken, Holding, Hess, James, Kirscher, Lehrkind, Lippard, Loughran, Lynch, McGreevey, McKenna, Martin (Fergus), Mernin, Murray, Nash, Nelson, O'Brien, Parker (Wibaux), Parker (Cascade), Petersen, Phelan, Rasmussen, Rice, Saylor, Scott, Stevens, Stromnes, Tonn, Toole, Tyler, Vanek, Watson, Welcome, Zuck. Total 53.

The following votes were cast for Armstrong:

Allen, Anderson, Anson, Armstrong, Aronson, Blenkner, Busch, Carlson, Castles, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Gebhardt, Green, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, Kemmis, LaBonte, Laubach, Lowe, McDaniel, McMichael, Martin (Madison), Miller, Morrow, Newell, O'Connor, Oliver, Parker (Flathead), Potter, Reed, Roehl, Scofield, Simpson, Toomey, Watson, White, Williams, Wilson, Winters. Total 47.

The following members were not present:

Dahlquist, Spiegel. Total 2.

The Secretary of State appointed Byrne of Toole and Armstrong of Flathead to escort the Speaker to the Chair. The Secretary of State introduced the Speaker to the House and he assumed the chair.

It was moved by Byrne, duly seconded and carried, that the Rules, Joint Rules and Order of Business of the Twenty-sixth Legislative Assembly be adopted as the Rules, Joint Rules and Order of Business of the Twenty-seventh Legislative Assembly subject to future action by this body.

It was moved by Byrne, duly seconded, that the following Democratic nominees be elected as officers and attaches of the House of the Twenty-seventh Legislative Assembly:

Speaker Pro Tem	Paul Cannon
Floor Leader	E. J. Byrne
Sergeant-at-Arms	E. N. Joffray
Chief Clerk	James P. Brennan
Assistant Chief Clerk	Ray C. Campbell
Journal Clerk	Hilda Richeson

It was moved by Armstrong, duly seconded, that the following Republican nominees be elected as officers of the House of the Twenty-seventh Legislative Assembly:

Speaker Pro Tem Dillavou of Yellowstone
 Floor Leader E. G. Toomey of Lewis and Clark

It was moved by Byrne that the Chief Clerk be instructed to cast 55 votes for the Democratic nominees and 47 votes for the Republican nominees. Motion duly seconded and carried. Vote was so cast and the Speaker declared the Democratic officers and attaches elected.

It was moved by Byrne, duly seconded and carried, that a committee of three members be appointed to notify his Excellency, the Governor, that the House is now organized and ready to receive any message he wishes to convey and also to ascertain the time set for the message.

The Speaker appointed Murray of Deer Lodge, McKenna of Judith Basin and O'Connor of Carbon as the committee to notify the Governor.

It was moved by Byrne, duly seconded and carried, that a committee of three members be appointed to notify the Honorable Senate that the House is organized and ready for business. The Speaker appointed Antrim of Ravalli, Friedl of Valley, Horrigan of Granite.

It was moved by Byrne, duly seconded and carried, that the Speaker be authorized to select a Clerk and Stenographer to assist him in the duties of his office.

It was moved by Byrne, duly seconded and carried, that the Committee on Employment be authorized to place a Clerk at the disposal of the Majority and Minority Floor Leaders to assist them in their work.

House recessed.

House resumed.

A Committee from the Senate was received and informed the House that the Senate was organized and ready to transact any and all business that may regularly come before it.

The Committee appointed to notify the Governor that the House was organized, reported that at twelve o'clock noon, Tuesday, January 7, 1941, the Governor would deliver his message to the Joint Session of the House and Senate. Committee discharged.

The Committee appointed to notify the Senate that the House was organized reported that the message had been conveyed. Committee discharged.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 11:30 o'clock A. M., Tuesday, January 7, 1941.

E. J. STROMNES,
 Speaker.

JAMES P. BRENNAN, Chief Clerk.

SECOND DAY

House of Representatives,
 Helena, Montana,
 January 7, 1941.

House convened, pursuant to adjournment, at 11:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members were present.

A Committee from the Honorable Senate informed the House that the Senate was ready to meet in Joint Session for the purpose of hearing the message of His Excellency, the Governor.

The President of the Senate in the Chair. The Joint Session was called to Order.

The Secretary of the Senate called the roll of the Senate.

The Chief Clerk of the House called the roll of the House.

A quorum of both Houses being present, the Joint Session convened.

It was moved by Senator Keeley, duly seconded and carried, that a committee of five be appointed to inform his Excellency, the Governor, that the members of the Senate and the House were in Joint Session and ready to hear his message. Thereupon the President of the Senate appointed Senator Baker, Senator Haight, Representatives Dougherty of Powell, Cannon of Silver Bow, and Green of Dawson as such Committee.

It was moved by Senator Keeley, duly seconded and carried, that 500 copies of the message to be given by the Governor be printed and distributed to members of the assembly.

His Excellency, Governor Sam C. Ford, then appeared and, on being escorted to the Chief Clerk's desk, was introduced by President of the Senate, Ernest T. Eaton, and delivered the following message:

Mr. President, Mr. Speaker and Members of the Twenty-Seventh Legislative Assembly:

The Constitution provides at the beginning of each session, the Governor shall, by message, inform the Legislative Assembly on the condition of the State and recommend such measures as he shall deem required. With genuine pleasure, I perform that duty.

That which has procured our presence here today is more than scantily significant—more than a perfunctory compliance with the basic law through which this Assembly of the people's representatives has come into being and through which the Chief Executive is directed to apprise you on matters pertinent to the labors about to begin. Inherently, this assemblage is a reassertion of the right of the people to govern themselves. When in so many lands today free government is in chains, we in America must be the more diligent to sustain liberty. If we do our full duty, and do it unafraid, free government tomorrow will be secure because of the functioning of free government today.

I can commend nothing more earnestly than that we cling to the fundamental principle wherein our government has checks and balances. Neither precedent nor expediency justifies any one of the co-ordinate branches of our government overreaching the constitutional restraints that circumscribe it, nor ought we to countenance usurpation or invasion by any officer or department of powers within the province of another. Where, through statute or otherwise, practice has gone oblique of this principle I urge you to set it right.

Chapter 5, laws of the Twenty-fifth Assembly, known as the "Hitler Bill," empowers the Governor to hire and discharge all State employees, except those in elective offices. In my opinion this law is dangerous, in that it places too much power in the hands of one man. I strongly urge its repeal and the enactment of suitable laws providing for the appointment of employees.

Under Section 2 of Article VI of the Constitution, the Legislature must at this session reapportion the membership of the House of Representatives on a ratio to be fixed by law and based on the 1940 Federal census. The ratio is for your determination, but the duty to establish such

a ratio and bring about a reapportionment is a positive one. Disparities in representation should be corrected.

Constitutional prohibition against appropriating more than the anticipated revenue demands a paring of requests to fit the income that can prudently be expected. From the budget, which will be submitted to you, it appears that requests for appropriations by officers, boards, departments and State institutions and approved by the State Budget Commission exceed the anticipated resources for the fiscal year of 1941-42 by \$311,676.46 and that of 1942-43 by \$269,036.26. Obviously, appropriations must be substantially reduced below requests.

I am convinced that if our income is frugally used and carefully administered, our revenues will adequately provide for the proper functioning of State affairs, without additional or new taxes.

In view of the efforts made by Montana to protect motorists and pedestrians, the record of fatalities, accidents and property loss is lamentable. It is my sincere hope that adequate legislation will be enacted to correct, so far as possible, this condition. It is my firm conviction that enactment and strict enforcement of a uniform drivers' license law, requiring examination for new drivers only, will minimize the toll now exacted by highway accidents.

Experience during the last four years has demonstrated many weaknesses in our liquor control laws. The recent campaign provides ample proof for the conclusion that the liquor business has no place in politics, and that the administration of our liquor laws must be divorced from politics and political corruption. I concur in a statement made by an administrative officer who said:

"Liquor and politics, fermented in the same vat, have always produced corruption and always will."

I sincerely hope that our liquor laws may receive your earnest and careful consideration so that present defects and abuses may be cured.

One of our most serious and important problems, and one which demands and merits your most earnest consideration, is the future of our highway system.

Some months ago the State was notified that Federal grants for assistance in highway construction in this and other States would be reduced 25 per cent for the biennium 1941-42. Additionally we are advised that the government is laying plans for the construction of defense highways through the nation. It is proposed that in the building of such roads the State pay the same proportion as under the present system. Should such a plan be carried out, the completion of our present system and the maintenance of existing roads will be gravely affected.

It is apparent that reconstruction and maintenance costs will mount during the coming years, while no substantial gain in revenues may be anticipated. Obviously, then, it is imperative that we shape our course so that we may make the most of the money available.

I advise that a thorough and impartial study of past, present and future construction, maintenance and financing be made so that appropriate legislation may be enacted to provide for a long term highway program.

For the past six years the State, with substantial assistance from the Federal Government, has carried on an extensive water conservation program. Many projects have been completed. The utility of some projects is questionable, and while others are reported completed, it will require considerable money before they can be brought to a high degree of efficiency.

On November 15, 1940, Major E. W. Ritchie, who had been in charge of the Public Works Administration activities on these projects, was recalled by the Federal Government and the State informed that further grants in aid for construction would not be made by the government.

We must continue this important work but it is obvious that further development must be of small projects, those which can be financed by the landowners with such assistance from the State as our finances will permit.

May I suggest that a thorough investigation of the Water Conservation Board and its activities be made in order that you may intelligently determine the future policy of that board.

I urge that the State continue the policy of co-operating with the Federal Government in the construction of Rural Electrification Projects.

Taxation is always a vexing problem. Perhaps for a long time to come the only relief we can expect from it will be through reducing expenditures where that can be done. Ability to pay and equality should be the watchwords of taxation. Demands for new levies and novel methods of raising revenue should be critically scrutinized.

Because of national defense, the government of the United States must, of necessity, put new burdens of taxation on our people. If we be cognizant of the load they already carry and the economic collapse that will come to many of them if the burden is made heavier, we cannot in conscience burden them further with additional levies by the State or under the State's authority.

In a determination of anticipated income, two factors must be considered: (1) Every increase in Federal taxes will very materially reduce state income. (2) Termination of the present war will adversely affect many of our industries with a consequent shrinking of our revenues. These facts, in my opinion, must be constantly in mind in the examination, not alone of proposed taxes, but also as pertinent to all phases of our economic system. We must reckon with the cadence of the times.

Hence, any policy that contemplates the realities of this situation must impel us to the most stringent economy in state and local government, and we must intercept tendencies that contradict the urgency for retrenchment. I believe our government need be no less efficient, no less a servant of the general people, because of thrifty operation that circumstance demands.

Substantial changes in our economic structure since our law for the classification of property for taxation was enacted in 1919, make it advisable, in my judgment, to amend this law to meet these altered conditions and to provide a more equitable distribution of the tax burden.

Through no fault of their own, many of our farmers and small home owners have been unable to pay the taxes levied against their property. I recommend the reenactment of the law which allowed the redemption of tax delinquent property without the payment of penalty and interest for a period of two years. Such a law will prove beneficial to the State and local governments and in many cases will save the farm or home.

I also recommend the re-enactment of Chapter 124, Session Laws of 1939, relating to the granting relief from mortgage foreclosure and from execution sale of real estate so as to extend the provisions until March 1, 1943.

It is a recognized duty of the State and Nation adequately to protect the welfare of children, widows, and aged and blind.

Our laws relating to this subject should be amended and liberalized so that the unfortunate people may receive an amount of assistance sufficient to take care of their essential needs.

That statutes bearing on the State Fish and Game Commission, regulations and the establishment of game preserves and the like, present today a vivid picture of what is wrong from the standpoint of careful and intelligent legislation. For instance Section 3653, Revised Codes of Montana of 1935, delegates broad powers to the commission without any suggestion of restraint or boundary, and then this striking provision:

"The statutes now governing such subjects shall continue in full force and effect, except as altered or modified by rules and regulations promulgated by the commission."

As it stands, the Legislature sets up an autocracy with power to legislate and override the laws of the State adopted by the Legislature.

Further, while the sportsmen of the State contribute all of the funds used by the department, they have little or no voice in the management or conduct of the department.

In the light of these facts there is little wonder that the administration of the Fish and Game Department has fallen into disrepute and that the public interests have suffered. The Laws I have mentioned should be re-written, to the end that our Fish and Game laws may be administered more nearly for the general good.

Administration of our institutions of higher learning must be such as to inspire confidence and respect. If the administration of any of them provokes widespread dissent, there is danger to all of them; they must be free of all forms of political control. I urge a thorough study of the entire field and enactment of laws that will afford a better and more comprehensive method of administration, and at the same time prevent the Greater University of Montana from becoming involved in any political activity.

Under Constitutional provision the State Board of Education, composed of three state officers as members ex-officio and eight appointive members, has control and supervision of the university system. Experience has demonstrated the utter failure of this method and in practice has resulted in a one man board. The Governor, Attorney General and Superintendent of Public Instruction, the ex-officio members, are necessarily so occupied with the duties of their offices that seldom are they able to give the required time to affairs of several institutions under their control. The appointive members likewise have but little opportunity to fortify their actions with adequate information.

I hope the Assembly will examine the situation and determine upon a course consistent with our needs and experience by reframing the law relative to the appointment of the members of the Board of Education and the law under which it works so as to produce a higher degree of efficiency and supervision.

May I direct your attention to the great increase in offices, departments and employees during the past several years, and resulting therefrom, an alarming growth in the cost of our government. With this has come needless and expensive duplication of service.

There is a pressing need for the reorganization of our entire State business structure, involving consolidation of offices, boards, departments, and particularly functions of government; the elimination of duplications; better co-ordination and strengthening of administrative responsibility. If we have the will and courage for it, retrenchment can be had without impairing any essential governmental function.

An intelligent reorganization cannot be accomplished without a thorough study and survey on which to base definite legislative action. I, therefore, recommend the enactment of suitable legislation, with adequate appropriation, authorizing the Governor to employ experts and specialists

in State reorganization to undertake a study and make report and recommendations to the next Legislative Assembly.

I likewise urge the appointment of a joint special committee to determine what, if any, changes may be made by this body to procure an immediate saving.

There has been widespread and very sincere and vigorous criticism of the so called "Spoils System" as applied to the employees of this State.

Many responsible people have charged that there have been numerous instances where the State's money has been wasted on incompetent employees, and instances where inferior applicants with political support have been appointed in preference to superior applicants who had little or no political influence.

I believe that we ought to guarantee to all citizens of this State a fair and equal opportunity for public service, irrespective of religious or political considerations.

Therefore, I recommend that you establish for the State of Montana a system of personnel administration based on merit principles and scientific methods, governing the appointment, promotion, transfer, removal and discipline of its officers and employees.

The situation in this State has reached the point where we, as administrators and legislators, must give to the people of the State a real honest system of personnel administration, based on merit alone, or admit openly that we approve of the scandalous tactics of the so called "Spoils System" and political machines.

By the enactment of a law authorizing the State Board of Examiners to refund outstanding bond issues, a considerable saving in interest will be effected. I recommend such legislation so that the State may take advantage of a favorable money market.

Under existing laws more than \$400,000 is carried in the interest and sinking fund for the payment of outstanding refunding bonds of general fund warrants. There is set aside from the general fund approximately \$350,000 each year, which is held for the next fiscal year and 30 days thereafter. Authority should be granted to invest part of this fund—interest received—and thus reduce the amount required to be paid from the general fund.

Under the law all moneys belonging to the Public School fund and to the other permanent funds of the educational, charitable and penal institutions of the State and all permanent funds subject to the provisions of Article XXI of the Constitution may be invested in the securities enumerated in Section 1805.98, Revised Codes of Montana, 1935. At the present time there are no general fund warrants drawing interest and we are from time to time retiring State bonds. As the financial conditions of the counties, cities, and school districts improve the opportunity for investment will diminish. The law should be amended so that these funds may be invested in Revenue Bonds of the State which may be issued pursuant to law.

Over a long period the practice has grown up of placing moneys received by the various departments and boards in fees and licenses in a special fund for the use of a particular board, department or institution. In my opinion, such a practice breeds wastefulness and inefficiency and violates the spirit if not the letter of Section 10, Article XII, of the Constitution, which provides that "all taxes levied for State purposes shall be paid into the State Treasury and no money shall be drawn from the treasury but in pursuance of specific appropriations made by law."

This field should be thoroughly explored and a law enacted providing that all taxes, including fees, licenses, and trust funds, shall be paid into

the State Treasury and drawn therefrom pursuant of specific appropriations.

The national defense emergency is being urged in some quarters as a pretext for depriving labor of fundamental rights it has won in our laws and a lessening of the economic protection that labor enjoys. The right of labor to bargain collectively without interference or coercion must be preserved.

One of the problems that has long confronted us is the occupational disease, silicosis, caused by inhaling silica dust. The problem would appear to be national in scope and a solution can only be found in cooperation between the Federal Government and the mining states. A bill for this purpose was passed by the Twenty-sixth Legislative Assembly but vetoed. I hope that a similar measure will be enacted at this session.

Montana should raise her voice against National policies and trade conditions that militate against our agriculture. Of the high premium wheat which Montana produces, there has never been a surplus, yet our acreage allotment is based upon an excess of wheat and our farmers must sell on a surplus market at a price lower than the quality of the wheat justifies. The loss is a serious one to the farmers of this state and cannot but have an unfavorable influence on general business in Montana.

The sugar beet industry is in its infancy in this state. Montana has some of the best beet land in the nation, yet discriminatory acreage allotments place us on the same basis as states where the industry is fully developed. Because of this condition the prosperity that would accrue to the State from an increasingly important crop is retarded.

I ask you to take such action as the facts justify.

There is a great dissatisfaction through the State relating to the control of the purchase of elementary text books for use in our public schools.

The law relating to the transportation of pupils by school districts is uncertain and unintelligible and has resulted in the misapplication of school funds.

These questions are of grave concern and vitally affect our public school system and should receive your earnest and careful consideration.

Under existing law it is unlawful for any contractor to engage in the business or act in the capacity of public contractor within the State without having a license therefor.

This law, in many instances, has worked to the great disadvantage of the school districts. Free and open bidding is desirable in all public works.

I recommend that this law be amended so that a license may be procured before work under a contract begins.

At the last election Referendum No. 43, authorizing the State to become indebted in the sum of \$500,000 in excess of the constitutional limitation of indebtedness for buildings and improvements at the State Hospital for the Insane at Warm Springs, was approved by the electors. The act is not self-executing and legislation is necessary to carry out its provisions. I urge that such legislation be expedited so these improvements may be made with as little delay as possible.

We have a task to do—those of us gathered here and every citizen of this great commonwealth. Those of us assembled here to carry out the delegated responsibilities of self-government have a duty that reaches to every fireside in Montana. That duty is to speak and to act for the man at the plow, the worker in mine or shop or factory, and the business man and industrialist as well; for the mothers, fathers and children, the orphans, the aged and the unfortunate. A duty to all of them, so that a State

mighty in resources, large in hope and by nature and the providence of God destined to a glorious future may fulfill that promise—that is the duty we have sworn to do. I am confident that all of us, with zeal and devotion, will strive to do that duty.

The problems that have shaped our mandates command our deepest contemplation. We should plumb the needs of the State and so far as we can, ransom the people from the difficulties that hold them captive to conditions from which they, unaided, cannot escape.

We cannot be so foolish as to assume that any law that may be enacted here, or any function of the executive, will do what only an act of God can accomplish. But we can by example bolster the sore need for confidence in government and in those entrusted with government. If we work diligently and in good conscience, if the laws we make have the savor of right and the leaven of justice, if throughout our labors the people of Montana are more secure and happier, free government will be stronger because of us.

If there is to be confidence in us, then there must be good government. Those who enter the temple of government to corrupt it must be driven out. The architects of our commonwealth as we hope to build it for the generation to come must have vision and integrity. In carving out her future, Montana wants sculptors, not chiselers.

If you as the makers of the laws, the courts as the interpreters of them and I as the Chief Officer charged with their administration, bend devotedly to the task, mindful that we should serve, not as Democrats or Republicans, but as agents of all the people, the general welfare will be advanced and we shall have the reward of work well done.

Each function of government in its own sphere ought to hew to the line. Each should be as thrifty as possible with the public purse. The Executive Department should pare out the decay of waste and duplicating activities. And I cannot but believe that the Legislative Department might well reduce the cost of its operations. Our 1939 Legislature cost \$367 per 1,000 of population, with one exception, the most expensive of the twelve western states. It is necessary that we practice the most rigid economy. May I be bold enough to suggest that this assembly hold expenditures to the lowest possible figure, thereby setting an example for other departments.

So that business may be expedited and important measures not be rushed through or rejected in the closing days of the session without proper consideration, I suggest that bills be introduced as early as possible, that committees be not tardy in their work and that this session set an example for the orderly and careful dispatch of business and by refraining from partisan politics.

I hope, and I believe you all join with me in the hope, that the 60 days of this session may be marked by harmonious relations between the Houses of the Assembly and between the Assembly and the Executive Department. When politics is the motive of action, when strife dethrones peace or when discord is master, the people of Montana suffer and government suffers.

Let us all take up the labors before us so that in the end we may merit the words: "Well done, good and faithful servant."

It was moved by Senator Keeley, duly seconded and carried, that a committee of five be appointed to escort his Excellency the Governor, to his Chambers. Whereupon the following were appointed: Senator Angvick and Baker and Representatives Lehrkind, Lippard, and Scofield.

It was moved by Keeley, duly seconded and carried, that the Joint Session dissolve and the Senate retire to its Chambers.

Mr. Speaker in the Chair. House resumed.

The Speaker appointed the following committees:

Committee on Journal: Hess of Hill, Chairman; Parker of Cascade, Vice-Chairman; and Wilson of Carbon.

Committee on Mileage and Per Diem: Lynch of Chouteau, Chairman; Parker of Flathead, Vice-Chairman; and Saylor of Petroleum.

Committee on Employment: Lippard of Chouteau, Chairman; Holding of Missoula, Vice-Chairman; McGreevey of Deer Lodge, Gebhardt of Yellowstone, Loughran of Silver Bow.

Committee on Appropriations: Dougherty of Powell, Chairman; Goodwin of Silver Bow, Vice-Chairman; Green of Dawson, Zuck of Roosevelt, Gunderson of Cascade, Williams of Yellowstone, Ahern of Hill, Armstrong of Flathead, Horrigan of Granite, Burke of Gallatin, Kirscher of Broadwater, Holding of Missoula, Murray of Deer Lodge, Anson of Beaverhead, Toomey of Lewis and Clark, James of Liberty, Rice of Big Horn and Simpson of Custer.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the First Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Cummings: A bill for an act entitled: "An act relating to the licensing of persons operating motor vehicles upon highways and make uniform the laws relating thereto for the purpose of securing a greater safety to the lives and persons of the public generally of the State of Montana and providing penalties for the violation of the provisions thereof."

MESSAGES FROM THE SENATE

The following messages were, on motion, considered read at length:

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate was this day duly organized, and that the following officers and attaches were duly elected for the transaction of the business of the Twenty-seventh Legislative Assembly:

President Pro Tempore	Senator Keeley
Secretary of the Senate	Claude J. McAllister
Sergeant-at-Arms	H. A. Hetherington
Chaplain	Rev. E. H. Wendland

The following committees were this day appointed:

Committee on Committees: Senators Campbell, Chairman; Baker of Dawson; Cotter.

Committee on Employment: Senators Henderson, Chairman; Arnold, Lott.

Committee on Seating: Senators Robinson, Chairman; Dahl, Mahoney.

On motion of Senator Keeley, duly seconded and carried, the Rules, Joint Rules and Order of Business of the Twenty-sixth Legislative Assembly

were adopted as the Rules, Joint Rules and Order of Business of the Twenty-seventh Legislative Assembly until the Committee on Rules, Joint Rules and Order of Business shall report.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Committees this day reported the selection of the following committees, report adopted:

Committee on Mileage and Per Diem: Senators Nutt, Chairman; Liggett, Ruffcorn.

Committee on Journal: Mahoney, Chairman; Hazelbaker, Martinson.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Goodwin, duly seconded and carried, that no married women whose husbands have employment, be given employment in the House.

It was moved by Byrne, duly seconded and carried, that the Committee on Employment be instructed to detail a clerk to the Appropriations Committee for service on that committee as soon as possible.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 11:00 o'clock A. M., Wednesday, January 8th, 1941.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRD DAY

House of Representatives,
Helena, Montana,
January 8, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present.

The Speaker made the following committee appointments:

Committee on Enrollment: Cole of Prairie, Chairman; O'Brien of Silver Bow, Vice-Chairman; Welcome of Park, Forbregd of Daniels and Fewkes of Lincoln.

Committee on Printing: Beck of McCone, Chairman; Stevens of Cascade, Vice-Chairman; Armstrong of Flathead, Reed of Blaine and Scott of Phillips.

Committee on Engrossing: Saylor of Petroleum, Chairman; Dahlquist of Valley, Vice-Chairman; Tyler of Sheridan, Blenkner of Stillwater and LaBonte of Flathead.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Second Legislative Day, find the same to be correct.

H. H. HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Martin of Fergus: A bill for an act entitled: "A House Joint Memorial, pleading for the enactment of the Townsend Recovery Plan, into law."

By Curran: A bill for an act entitled: "An act to amend Section 19 of Chapter 137 of the session laws of Montana, 1937, as amended by Section 6 of Chapter 137 of Session Laws of Montana, 1939, the same being the unemployed compensation law of the State of Montana, providing for the inclusion of employees of the State of Montana and all political subdivisions thereof among those entitled to the benefits of said act."

By Spiegel: A bill for an act entitled: "An act relating to the appointment of all assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers, and executive attaches of all appointed civil executive state offices, boards, commissions, bureaus, departments or assistants of any kind not otherwise provided by law; providing for the approval of all such appointments by the State Board of Examiners; providing for the discontinuance of their office by said board; repealing Chapter 5 of the laws of 1937, and all other acts and parts of acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Mileage and Per Diem, beg to submit the following report, indicating the number of miles traveled by the following members of the House and sums due them therefor, for the Session of the Twenty-seventh Legislative Assembly, convening January 6th, 1941, to-wit:

Name and Address—	Miles	Amount
Ahern, Havre	462	\$32.34
Allen, Livingston	246	17.22
Anderson, Regina	706	49.42
Anson, Wisdom	304	21.28
Antrim, Stevensville	294	20.58
Armstrong, Kalispell	496	34.72
Aronson, Cut Bank	419	29.33
Ballard, Butte	144	10.08
Banka, Brady	328	22.96
Beazley, Roundup	438	30.66
Beck, Vida	896	62.72
Bjorneby, Kalispell	496	34.72
Blenkner, Columbus	396	27.72
Burke, Bozeman	196	13.72
Busch, Baker	938	65.66
Byrne, Galata	488	34.16
Cannon, Butte	144	10.08
Carlson, Basin	42	2.94
Castles, Superior	366	25.62
Clifford, Anaconda	196	13.72
Cole, Terry	895	62.65
Cummings, Great Falls	196	13.72
Curran, Butte	144	10.08
Dahlquist, Opheim	788	55.16
Davey, Wolf Point	846	59.22
Dillavou, Billings	478	33.46
Dougherty, Elliston	58	4.06
Eggenberger, Harlowton	296	20.72
Esp, Big Timber	338	23.66

Name and Address—	Miles	Amount
Fewkes, Troy	812	56.84
Flook, Lewistown	430	30.10
Forbregd, Scobey	960	67.20
Freshman, Butte	144	10.08
Friedl, Glasgow	748	52.36
Gebhardt, Billings	478	33.46
Goodwin, Butte	144	10.08
Green, Lindsay	976	68.32
Gunderson, Power	240	16.80
Hageman, Jordan	994	69.58
Hammond, Billings	478	33.46
Harken, Forsyth	710	49.70
Harrison, Helena		
Hazelbaker, Missoula	238	16.66
Helding, Missoula	238	16.66
Hess, Havre	462	32.34
Horrigan, Philipsburg	220	15.40
Hunter, Helena		
James, Joplin	500	35.00
Kemmis, Sidney	1050	73.50
Kirscher, Townsend	66	4.62
LaBonte, Kalispell	496	34.72
Laubach, Dutton	334	23.38
Lehrkind, Bozeman	196	13.72
Lippard, Virgelle	356	24.92
Loughran, Butte	144	10.08
Lowe, Glendive	928	64.96
Lynch, Highwood	268	19.76
McDaniel, Charlo	462	32.34
McGreevey, Anaconda	196	13.72
McKenna, Geyser	300	21.00
McMichael, Paradise	382	26.74
Martin, (Madison), Harrison	202	14.14
Martin, (Fergus), Lewistown	458	32.06
Mernin, Butte	144	10.08
Miller, Sanders	626	43.82
Morrow, Bozeman	196	13.72
Murray, Anaconda	196	13.72
Nash, Missoula	238	16.66
Nelson, Barber	376	26.32
Newell, Red Lodge	534	37.38
O'Brien, Butte	144	10.08
O'Connor, Fromberg	492	34.44
Oliver, Ekalaka	1068	74.76
Parker, (Wibaux), Wibaux	1010	70.70
Parker, (Flathead), Kalispell	448	31.36
Parker, (Cascade) Fort Shaw	246	17.22
Peterson, Westby	1032	75.74
Phelan, Billings	478	33.46
Potter, White Sulphur Springs	232	16.24
Rasmussen, Harlem	504	35.28
Reed, Turner	581	40.67
Rice, Lodge Grass	692	48.44
Roehl, Lewistown	430	30.10
Saylor, Winnett	540	37.80
Scotfield, Biddle	990	69.30
Scott, Loring	778	54.46
Simpson, Volborg	892	62.44
Spiegel, Butte	144	10.08
Stevens, Great Falls	196	13.72
Stromnes, Great Falls	196	13.72
Tonn, Broadus Rt., Miles City	872	61.04

Name and Address—	Miles	Amount
Toole, Great Falls	196	13.72
Toomey, Helena		
Tyler, Homestead	982	68.74
Vanek, Brooks	480	33.60
Watson, Missoula	238	16.66
Welcome, Gardner	360	25.20
White, Butte	144	10.08
Williams, Billings	478	33.46
Wilson, Boyd	494	34.58
Winters, Stevensville	294	20.58
Zuck, Poplar	978	68.46

LYNCH, Chairman.

Report adopted.

Mr. Speaker:

We, your Committeemen on Employment, having had under consideration applicants for employment, beg leave to report:

Position and Name—

First Assistant Sergeant-at-Arms, Ernest Burns.
 Second Assistant Sergeant-at-Arms, William Neary.
 Bill Clerk, Tobias Vegge.
 Secretary to Chief Clerk, Marguerete Wing.
 Assistant Bill Clerk, Herman E. Straus.
 Reading Clerk, W. P. Pilgeram.
 Clerk to Sergeant-at-Arms, Mary Owen.
 Enrolling Clerk, Murray J. Johnston.
 Assistant Enrolling Clerk, Charles Pichette.
 Engrossing Clerk, Archie McLeod.
 Assistant Engrossing Clerk, Albert J. Partoll
 Printing Clerk, Tom Caverley.
 Secretary to Speaker, Mary Harris.
 Mailing and Filing Clerk, R. Murray.
 Secretary to Appropriations Committee, Margaret McGuinn.
 Pay Roll Clerk, George A. Davis.
 Law Clerk, Emmett C. Angland.
 Doorkeeper, C. Edson Smith.
 Telephone Operator, Florence W. Baldwin.
 Elevator Operator, Lewis Howard Gessuer.

Stenographers:

Bette Hoskinson	Eleta Emma Robinson
Rosalee Marie Hammond	Helene E. Nelson
Genevieve Mahony	Ruth Johnson
Patricia Tout	Mercedes Butler
Maryetta Reseman	Dorothy Jean Gilmour
Ruth Agnes Clifford	Shirley Mills
Marcella Seitz	Lillian Norris
June Lucille Lyons	Marion Snider
Clark Irvine	Jeanne Shannon
Ellen Ward	Mary Alice Coulson
Winifred Cummings	Jean Nichols
Anna Beata Flansaas	

Clerks:

Lauren O'Connor	Mary Wilford
L. O. Lindberg	Dave McElliott
Harry Culbertson	W. O. Hutchinson

LIPPARD, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Armstrong, duly seconded and carried, that the Majority Floor Leader be made an ex-officio member of all standing committees.

It was moved by Byrne, duly seconded and carried, that a committee of five be appointed to prepare and submit suitable resolutions memorializing the members of the Twenty-sixth Legislative Assembly who have since passed away and that such resolutions be entered in the House Journal and a copy thereof be forwarded to the widows or families of the deceased members.

It was moved by Lehrkind, duly seconded and carried that the Employment Committee be instructed to insist that all sponsored applicants who can not fill necessary positions in the work of the house, be replaced by their sponsoring members, with sponsored applicants who can perform the needed services.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Committee on Highways and Highway Transportation:

House Bill No. 1, introduced by Cummings: A Bill for an Act entitled: "An Act relating to the licensing of persons operating motor vehicles upon highways and make uniform the laws relating thereto for the purpose of securing a greater safety to the lives and persons of the public generally of the State of Montana and providing penalties for the violation of the provisions thereof."

By unanimous consent of the House the following bill was introduced, without notice, read first and second time at length and referred to the Committee on Appropriations:

House Bill No. 2, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Twenty-seventh Legislative Assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the Twenty-seventh Legislative Assembly of the State of Montana."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 2 a Bill for an Act entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Twenty-seventh Legislative Assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the Twenty-seventh Legislative Assembly of the State of Montana. Respectfully report as follows: That House Bill No. 2 do pass.

Report adopted.

DOUGHERTY, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 2 beg leave to report that the same has this date been returned from the printer correctly printed.

Report adopted.

BECK, Chairman.

MOTIONS AND RESOLUTIONS

It was moved by Dougerty, duly seconded and carried unanimously that Section 2 of House Rule No. 37 be temporarily suspended.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of general orders.

CONSIDERATION OF GENERAL ORDERS

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 2, recommend that the same do pass.

SPIEGEL, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bill No. 2 be considered properly engrossed and placed on Third Reading.

THIRD READING

House Bill No. 2, introduced by the Committee on Appropriations, having been read three times at length, title and history agreed to, was passed by the following vote.

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin (Madison), Martin (Fergus), Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker (Wibaux), Parker (Flathead), Parker (Cascade), Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Stromnes, Tonn, Toole, Toomey, Tyler, Vanek, Watson, Welcome, White, Williams, Wilson, Winters, Zuck. Total 98.

Noes: Castle. Total 1.

Absent and not voting: Friedl, Gebhardt and Petersen. Total 3.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

House resumed. Mr. Speaker in the Chair.

NOTICES

Mr. Speaker: We hereby give notice that we will on tomorrow or some subsequent day, introduce a bill entitled: By Allen and Morrow: A Bill for an Act entitled: "An Act to amend Section 4736 Revised Codes of Montana of 1935, relating to the time and offices to be kept open at county seat."

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in H. B. No. 2, and it is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bill correctly enrolled: House Bill No. 2.

COLE, Chairman.

Report adopted.

Mr. Speaker: I have examined House Bill No. 2 introduced by me and find the same to be correct.

DOUGHERTY.

The Speaker signed House Bill No. 2 in open session.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday, January 9th, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FOURTH DAY

House of Representatives,
Helena, Montana,
January 9, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Third Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Byrne: A Bill for an Act entitled: "An Act to provide for an apportionment of membership and representation of the several counties of Montana in the House of Representatives of the Legislative Assembly of Montana, and to fix the number of members thereof."

By Armstrong: A Bill for an Act entitled: "An Act to provide for the disposition of all money received from income tax, corporation license tax, electric energy producers' license tax, metalliferous mines license tax, telegraph license tax, oil producers' license tax, natural gas distributors' license tax, store license tax, public contractors' license tax, telephone license tax, movie theater license tax, liquor license tax, inheritance tax, Montana beer act and profits from state liquor control act of Montana; amending Sections 2343.3, as amended by Chapter 83, Laws of 1937, 2344.12, 2399, 2815.50 Revised Codes of Montana, 1935; and repealing Sections 11, Sub-Section 1, Chapter 87, Laws of 1937, 2295.28, 2303.12, 2355.9, 2408, 2408.9, 2433.8, 2435.4, 2815.157 and 10400.49 Revised Codes of 1935; and Section 9, Chapter 94, Laws of 1937; Section 7, Chapter 91, Laws of 1937; Section 29, Chapter 84, Laws of 1937; Section 7, Chapter 201, Laws of 1937; and Section 11, Chapter 199, Laws of 1937."

By Toomey, Oliver, Dougherty, Martin of Fergus, Flook, Scofield: A House Joint Resolution entitled: "A resolution providing for the creation of a joint committee from the House of Representatives and the Senate of the State of Montana for the purpose of studying and investigating the present governmental organization of the State of Montana in all its departments, with a view to the recommendation of legislation at this present session of the Twenty-seventh Legislative Assembly for decreasing government agencies, effecting consolidations of services where compatible with the public service, insuring economies in operation, and elimination of alleged emergency powers, functions and bodies."

By Murray: A bill for an act entitled: "An act to amend the title of Chapter 96 of the Laws of 1915 the Fourteenth Legislative Assembly entitled: 'An act providing for the protection and safety of workmen in all places of employment in all inherently hazardous works and occupations; providing a schedule of compensation for injuries to or death of workmen and methods of paying the same, and prescribing the liability of employers who do not elect to pay such compensation; establishing the Industrial Accident Board, defining its powers and duties; and providing for review of its awards' as amended, being Sections 2816 to 3033 inclusive of the Revised Codes of Montana of 1935, and adding thereto a new part to stand as Part VI, and to consist of Sections 1 to 12 inclusive."

By Clifford: A bill for an act entitled: "An act to amend Section 3071 Revised Codes of Montana of 1935, relating to hours of labor for underground miners."

By Fewkes by request: A bill for an act entitled: "An act to amend Section 414, 311 and 4739 of the Revised Codes of Montana of 1935, relating to state and county officers, their absence from the state and vacancies in office caused thereby, and providing exceptions in case of service with the armed forces of the State or of the United States in keeping with the spirit of the United States Selective Service Act of 1940; repealing all acts and parts of acts in conflict herewith; and providing that this act shall take effect from and after its passage and approval."

By Oliver and Busch: A bill for an act entitled: "An act to permit real property to be redeemed from tax sale and from tax deeds issued subsequent to February 7, 1939, by paying the original tax, permitting such original taxes to be paid on or before February 1, 1943, relating to the time of taking tax deed and staying operation of laws in conflict herewith."

By Oliver: A bill for an act entitled: "An act to provide for the raising of revenue for emergency purposes; to equalize, replace and substitute taxation for the maintenance of the state, and institutions thereof, by imposing a tax upon the receipts from the retail sales of certain commodities, admissions and services as defined herein; to provide permits to retailers; to provide for the ascertainment, levy, assessment and collection of such tax, the distribution and use of the revenue derived therefrom and the administration of said law; to provide certain deductions and exemptions; establishing a lien for the payment of said tax; to provide fines and penalties for the violation of the provisions of the act; to repeal all laws or parts of laws in conflict herewith, and declaring this act to be an emergency."

By Lowe: A bill for an act entitled: "An act to amend Sections 4884, 4884.1 and 4885, Revised Codes of Montana, 1935, relating to mileage for members of the Legislative Assembly, state officers, county officers, township officers, jurors, witnesses, sheriffs and all other persons."

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Joint Memorial No. 1, introduced by Martin of Fergus: A House Joint Memorial entitled: "A resolution memorializing the Congress of the

United States for the passage of the legislation for the creation and establishment of the Townsend recovery plan, and for benefits to be paid to all persons over the age of sixty years." Referred to Committee on Federal Relations.

House Bill No. 3, introduced by Curran: A bill for an act entitled: "An act to amend Section 19 of Chapter 137 of the Session Laws of Montana, 1937, as amended by Section 6 of Chapter 137 of Session Laws of Montana, 1939, the same being the Unemployment Compensation Law of the State of Montana, providing for the inclusion of employees of the State of Montana and all political sub-divisions thereof among those entitled to the benefits of said act." Referred to Committee on Social Security.

House Bill No. 4, introduced by Morrow and Allen: A bill for an act entitled: "An act to amend Section 4736 Revised Codes of Montana of 1935, relating to the time and offices to be kept open at county seat." Referred to Committee on Townships and Counties.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Williams: A bill for an act entitled: "An act providing for the filing of assignments of conditional sales contracts and imparting notice thereof."

By Friedl, Anderson, Scott, Beck, Dahlquist, Davey, Zuck: A House Memorial entitled: "A House Memorial to the Congress of the United States requesting the enactment of appropriate legislation for the utilization of the power and water resources at the Fort Peck dam for irrigation development."

By Friedl, Lowe, Anderson, Reed, Dahlquist, Zuck, Davey, Beck, Tonn, Scott, Hageman, Green, Kemmis: A House Memorial entitled: "A House Memorial to the Congress of the United States requesting that the proper authorities be urged to employ the utilities and facilities now available at Fort Peck, Montana, in the plan of national defense."

By Eggenberger: A Bill for an act entitled: "An act to amend Sections 1783 and 1784 of the Revised Statutes of Montana of 1935 and providing for the creation of a new non-political state highway commission; providing for the appointment of its members, their duties, compensation, and terms of office; providing for a chairman of the commission and regulating the political activities of members of the commission and providing grounds upon which and procedure by which they may be discharged; and establishing requirements for the conduct of the business of the commission."

It was moved by Byrne, duly seconded and carried, that the House adjourn until 10:30 o'clock A. M., Friday, January 10th, 1941.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTH DAY

House of Representatives,
Helena, Montana,
January 10, 1941.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fourth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

The Speaker appointed the following committee:

Educational Committee—1941: James of Liberty, Chairman; Scott of Phillips, Vice-Chairman; Nash of Missoula, Williams of Yellowstone, Laubach of Teton, Zuck of Roosevelt, Newell of Carbon, Hageman of Garfield, Tyler of Sheridan, Goodwin of Silver Bow, La Bonte of Flathead, Allen of Park, Oliver of Carter, Parker of Cascade, Beck of McCone.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Rice: A Memorial entitled: "A Memorial to the Congress of the United States requesting the enactment of appropriate legislation in the name of patriotism and justice making all bonds issued by the United States government, any state or other governmental agency, taxable."

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 5 introduced by Byrne: A bill for an act entitled: "An act to provide for an apportionment of membership and representation of the several counties of Montana in the House of Representatives of the Legislative Assembly of Montana and to fix the number of members thereof." Referred to Committee on Apportionment and Representation.

House Bill No. 6 introduced by Williams: A bill for an act entitled: "An act providing for the filing of assignments of conditional sales contracts and imparting notice thereof." Referred to Committee on Judiciary.

House Bill No. 7 introduced by Fewkes: A bill for an act entitled: "An act to amend Sections 414, 511 and 4739 of the Revised Codes of Montana of 1935, relating to state and county officers, their absence from the state and vacancies in office caused thereby, and providing exceptions in case of service with the armed forces of the State or of the United States in keeping with the spirit of the United States selective service act of 1940; repealing all acts and parts of acts in conflict herewith; and providing that this act shall take effect from and after its passage and approval." Referred to Committee on State Boards and Offices.

House Bill No. 8 introduced by Eggenberger: A bill for an act entitled: "An act to amend Sections 1783 and 1784 of the Revised Statutes of Montana of 1935 and providing for the creation of a new non-political state highway commission; providing for the appointment of its members,

their duties, compensation, and terms of office; providing for a chairman of the commission; and regulating the political activities of members of the commission and providing grounds upon which the procedure by which they may be discharged; and establishing requirements for the conduct of the business of the commission." Referred to Committee on State Boards and Offices.

House Joint Resolution No. 1 introduced by Toomey, Oliver, Dougherty, Scofield, Martin (Fergus), Flook: A Resolution entitled: "A resolution providing for the creation of a joint committee from the House of Representatives and the Senate of the State of Montana for the purpose of studying and investigating the present governmental organization of the State of Montana in all its departments, with a view to the recommendation of legislation at this present session of the Twenty-seventh Legislative Assembly for decreasing government agencies, effecting consolidations of services where compatible with the public service, insuring economies in operation, and elimination of alleged emergency powers, functions and bodies." Referred to Committee on State Boards and Offices.

The Speaker appointed the following committee to prepare resolutions on deceased members of the Twenty-sixth Legislative Assembly, in accordance with motion made by Byrne:

McKenna of Judith Basin, Chairman; Morrow of Gallatin, Vice-Chairman; Stevens of Cascade, Martin of Fergus and Toomey of Lewis and Clark.

House recessed subject to the call of the Chair.

House resumed. Mr. Speaker in the Chair.

The Speaker appointed the following committees:

Committee on Rules, Joint Rules and Order of Business: Cannon of Silver Bow, Chairman; Byrne of Toole, Vice-Chairman; Armstrong of Flathead, Toomey of Lewis and Clark.

Committee on Petroleum, Oil and Gas: Aronson of Glacier, Chairman; Ahern of Hill, Vice-Chairman, Byrne of Toole, Saylor of Petroleum, Scott of Phillips, Zuck of Roosevelt, Banka of Pondera, O'Brien of Silver Bow, Busch of Fallon, McDaniel of Lake, Parker of Flathead, Blenkner of Stillwater, Newell of Carbon, Roehl of Fergus.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Friedl, Lippard: A bill for an act entitled: "An act providing for the employment, discharge and compensation of assistants to civil executive officers, boards, commissions and departments, and delegating certain powers relating thereto to the Board of Examiners and repealing all acts and parts of acts, and particularly Chapter 5, the Laws of 1937, in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your committeemen on employment, having had under consideration, applicants for employment, beg leave to report:

Pages:

Neil Flannagin
Frank Wigmore
Clyde Jellison

Peter Best
William Gebhardt

Proof Readers:

Donald Mackenzie
 Merrill James Bleck
 Ethel Larson
 John Campbell
 E. A. Manley
 Josephine Andrews
 Chas. D. Gould
 Richard Sell
 James J. O'Bert
 Steve Holt, Jr.

J. W. Staley
 John H. McAfee
 E. Dwain Clodfelter
 Jack Donald McEachron
 Frank Devine, Jr.
 Howard Kathan
 Frank F. Hayes
 Ernest A. Hardcastle
 Aime Page
 Walter Anderson

Typists:

Carol M. Foster
 Mary McCarthy
 Don E. Belcher
 Virginia Wolfe
 Lillian Albert

Anne Matovich
 Julia Olson
 Florence Schreiner
 Mrs. Porter
 Arnold Quammen

Stenographers:

Elnora Jung
 Arseal Bazinet
 Cecelia Krier
 Marjory Givens
 Miss Irene Quigley
 Miss Nass

Ruth Kretzer
 Miss Martha Manley
 Alice H. Miles
 Edna Gillis
 Dorothy Jovitch
 Anne Kuntz

Clerks:

James S. McGovern
 Reid H. Lanway
 T. F. Murphy
 John Wagner

Margaret Strowe
 Fay Crusch
 Bill Swanberg

Janitors, Doorkeepers, Watchmen:

Henry Bentley
 John J. Robertson
 John A. Nelson
 Bert Carroll
 Charles Stupich

Leslie Plummer
 R. F. Refslund
 Elmer Sathre
 Thomas Hurley

Elevator:

Stella Begovich.
 Assistant Law Clerk:
 Gene Mahoney.

Employees to receive one week's pay:

Nicholas Proost
 William McManus
 Harry Scally
 Chad Brown
 Charles Graham

Theodore Johnson
 Clark Nockelby
 Crover Cochran
 Ethelyn Totten
 Ruth Nelson

LIPPARD, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, January 13th, 1941, at 1:00 o'clock P. M.

E. J. STROMNES,
 Speaker.

J. P. BRENNAN, Chief Clerk.

EIGHTH DAY

House of Representatives,
Helena, Montana,
January 13, 1941.

House convened, pursuant to adjournment, at 1:00 o'clock P. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except Gunderson who was excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifth legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Hageman: A bill for an act entitled: "An act prohibiting the use of certain canes except by blind persons, providing protection against accidents to such persons, and providing penalties for violation hereof."

By Petersen: A bill for an act entitled: "An act permitting boards of county commissioners to provide at their option additional judges and clerks of election for the purpose of counting and tabulating votes and defining the duties and powers of the judges and clerks in each precinct containing one hundred and fifty or more registered voters, provided said precincts do not use voting machines."

By Lynch: A bill for an act entitled: "An act providing for an apportionment of membership and representation of the several counties in Montana in the House of Representatives of the Legislative Assembly of Montana, and to fix the number of members thereof."

By Murray: A bill for an act entitled: "An act to preserve the scenic beauty of the State of Montana by requiring all placer mining operators to level all debris, refuse, and tailings caused by their placer mining operations within the distance of one mile from any state or county highway or limits of any city or town; providing the penalty for such failure; declaring such failure a public nuisance; and repealing all acts and parts of acts in conflict herewith."

By Hageman: A bill for an act entitled: "An act to amend Section 5306 of the Revised Codes of Montana, 1935, relating to the power of a council to discontinue streets or alleys, to provide that the county commissioners have the power to discontinue streets or alleys in unincorporated towns."

By Stevens: A bill for an act entitled: "An act for the payment of old age pensions; establishing a state old age pension commission; defining the qualifications of those entitled to receive old age pensions; providing for the administration of said act; providing for forms of applications; providing funds for the state old age pension commission and establishing a special fund known as the state old age pension fund; providing that aid from the United States government in furtherance of this act be placed in said fund; providing for eligibility to receive pensions; providing for the residence of applicants, and change of residence; providing for the expenses incurred in carrying out the provisions of the act; prohibiting assignments of grants; repealing all acts and parts of acts in conflict herewith."

By Bjorneby: A bill for an act entitled: "An act providing that it shall be unlawful for any person, association of persons or corporation to

place or maintain poles, piles, piers, warfs, booms or other obstructions in the waters of navigable lakes and streams of the State of Montana, unless lights shall be placed upon such poles, piles, piers, warfs, booms or other obstructions, and providing penalties for the failure to comply with this act."

The Speaker appointed the following committees:

Judiciary Committee: Toole of Cascade, Chairman; Toomey of Lewis and Clark, Vice-Chairman; Ahern of Hill, Burke of Gallatin, Freshman of Silver Bow, Harken of Rosebud, Bjorneby of Flathead, Lippard of Chouteau, O'Connor of Carbon, Reed of Blaine, Rice of Big Horn, Allen of Park, Blenkner of Stillwater, Dillavou of Yellowstone, Morrow of Gallatin.

Banks and Banking Committee: Lehrkind of Gallatin, Chairman; White of Silver Bow, Vice-Chairman; Vanek of Fergus, Clifford of Deer Lodge, Rasmussen of Blaine, Lowe of Dawson, Aronson of Glacier, Armstrong of Flathead, Dougherty of Powell, Kirscher of Broadwater, Busch of Fallon, Dahlquist of Valley, McMichael of Sanders, Toole of Cascade, Potter of Meagher.

Committee on Constitutional Amendments: Loughran of Silver Bow, Chairman; Burke of Gallatin, Vice-Chairman; Toomey of Lewis and Clark, Ahern of Hill, Toole of Cascade, Goodwin of Silver Bow, Tonn of Custer, Lippard of Chouteau, Blenkner of Stillwater, LaBonte of Flathead, Morrow of Gallatin, Allen of Park, Dillavou of Yellowstone, Roehl of Fergus, Rice of Big Horn.

Committee on Mines and Mining: Goodwin of Silver Bow, Chairman; Beazley of Musselshell, Vice-Chairman; Horrigan of Granite, Scott of Phillips, O'Brien of Silver Bow, Toole of Cascade, Dougherty of Powell, Welcome of Park, Curran of Silver Bow, Harrison of Lewis and Clark, Newell of Carbon, Carlson of Jefferson, Martin of Madison, Anson of Beaverhead, Morrow of Gallatin.

Committee on Workmen's Compensation: Freshman of Silver Bow, Chairman; Beazley of Musselshell, Vice-Chairman; Murray of Deer Lodge, O'Brien of Silver Bow, Stevens of Cascade, Holding of Missoula, Aronson of Glacier, Gebhardt of Yellowstone, Scofield of Powder River, Armstrong of Flathead, Hammond of Yellowstone, Anderson of Phillips, McDaniel of Lake, Toole of Cascade, Mernin of Silver Bow.

Committee on Public Health and Sanitary Affairs: Lynch of Chouteau, Chairman; Rasmussen of Blaine, Vice-Chairman; McGreevey of Deer Lodge, Cole of Prairie, Cummings of Cascade, Holding of Missoula, Hammond of Yellowstone, Aronson of Glacier, Laubach of Teton, Armstrong of Flathead, Watson of Missoula, Simpson of Custer, Toomey of Lewis and Clark, Ballard of Silver Bow, Mernin of Silver Bow.

Committee on Social Security: Byrne of Toole, Chairman; Martin of Fergus, Vice-Chairman; Ballard of Silver Bow, Harken of Rosebud, McGreevey of Deer Lodge, Banka of Pondera, Phelan of Yellowstone, Stevens of Cascade, Fewkes of Lincoln, Carlson of Jefferson, Scofield of Powder River, Anson of Beaverhead, Watson of Missoula, Williams of Yellowstone, Potter of Meagher.

Committee on Public Utilities and State Commissions: Nash of Missoula, Chairman; Curran of Silver Bow, Vice-Chairman; Ahern of Hill, Newell of Carbon, Kemmis of Richland, Toomey of Lewis and Clark, Welcome of Park, Friedl of Valley, Toole of Cascade, Horrigan of Granite, Tyler of Sheridan, Clifford of Deer Lodge, Esp of Sweet Grass, Morrow of Gallatin, Dillavou of Yellowstone.

Committee on Revenue and Taxation: Antrim of Ravalli, Chairman; Lehrkind of Gallatin, Vice-Chairman; Ballard of Silver Bow, Cummings of Cascade, Petersen of Sheridan, Lippard of Chouteau, Vanek of Fergus,

O'Connor of Carbon, Watson of Missoula, Scofield of Powder River, Hammond of Yellowstone, Toomey of Lewis and Clark, Anson of Beaverhead, Rasmussen of Blaine, Cannon of Silver Bow, Byrne of Toole.

MOTIONS AND RESOLUTIONS

The following House Memorial No. 1, introduced by Friedl, Anderson, Scott, Beck, Dahlquist, Davey and Zuck, was read by the clerk:

A House Memorial to the Congress of the United States Requesting the Enactment of Appropriate Legislation for the Utilization of the Power and Water Resources at the Fort Peck Dam for Irrigation Development.

To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled:

WHEREAS, a special Northern Great Plains Committee appointed by the President, has studied the effects of the ten-year drought in Eastern Montana and recommended immediate use of water facilities for irrigation development; and,

WHEREAS, a survey by the Bureau of Reclamation has been made to determine the feasibility of irrigating a large acreage of dry land in this area by utilizing power and water available at Fort Peck, Montana; and,

WHEREAS, the conditions of unemployment and distress due to the drought are greatly aggravated by the completion of the construction of the dam; whereby hundreds of families have become stranded in Glasgow and the boom towns generated by the construction, not knowing where to go or what to do; and adding to the already over-burdened relief loads of Valley County to the extent that Valley County now carries one of the largest relief loads in the entire State; and,

WHEREAS, the Bureau of Reclamation survey is said to be practically completed, by reason of which it becomes necessary for the rehabilitation of a large section of Eastern Montana; and,

WHEREAS, unless such use is made of the facilities of Fort Peck, Montana, this enormous project will prove itself not only of no benefit to Montana, but a positive injury to the counties it directly affects due to the permanent removal of revenue formerly derived from the flooded areas which formed the backbone of a flourishing stock industry regularly paying taxes and supporting farmers; and,

WHEREAS, the problem of National Defense is uppermost in the minds of the administration and large expenditures are being authorized for this purpose, we submit that it would be a poor policy of defense to neglect the conservation of our land and water and human resources on this account, since they form as important an item in the strength of the nation as bullets or battleships or planes or tanks, for they are the best defense against conditions that are bound to arise after the war is over.

NOW, THEREFORE, BE IT RESOLVED, By the House, that the Congress of the United States of America be respectfully urged and petitioned to enact legislation to the end, that the report of the Bureau of Reclamation survey be immediately released and that the feasible projects revealed be developed at once, thus to relieve human distress in the area by furnishing employment and farm homes to people dispossessed by the drought, and by reason of the enormous amount of unemployment caused by the substantial completion of the Fort Peck dam.

BE IT FURTHER RESOLVED, That a copy of this House Memorial be submitted by the Secretary of the State of Montana, to the President of the United States, to both Houses of the National Congress, to the Secretary of War, to the Secretary of Navy, to the Secretary of the In-

terior, to the Commissioner of Reclamation, and Chief of Army Engineers, and each of the Senators and Representatives in Congress from the State of Montana.

On motion of Friedl, duly seconded and carried said House Memorial No. 1 was adopted.

The following House Memorial No. 2, introduced by Friedl, Lowe, Anderson, Reed, Dahlquist, Zuck, Davey, Beck, Tonn, Scott, Hageman, Green, Kemmis was read by the clerk:

A House Memorial to the Congress of the United States Requesting that the Proper Authorities Be Urged to Employ the Utilities and Facilities Now Available at Fort Peck, Montana, in the Plan of National Defense.

To the Honorable House of Representatives and Senate of the United States of America in Congress Assembled:

WHEREAS, the United States government has constructed, at Fort Peck, Montana, the greatest earth dam in all time history for the specific purpose of flood control, navigation, and the generating of electric power, and because of these vast improvements and power facilities, the Fort Peck dam has become a strategic point in the United States and most favorable adopted for the following purposes:

(1) Complete municipal utilities such as natural gas, electric power, sewage, a light system, paved streets, side walks and townsite to accommodate 10,000 people;

(2) Direct railroad connections with the coast line of the Great Northern Railroad system, round house, freight depot, and switching yards on both sides of the river;

(3) Two direct oiled highway connections with highway number two (2);

(4) Administrative buildings, cold storage plant, laundry plant, and machine shops which are ready for immediate start on making hydro or aeroplane parts, or assembling same;

(5) Ample modern hospital facilities;

(6) With completion of the dam this property will become largely vacant and unless utilized as recommended will be a large financial loss to the Federal government;

(7) Large area of Federally owned and controlled land contiguous to townsite with well mapped terrain usable for maneuvering and training troops;

(8) The reservoir's large sheet of water, and the level surrounding prairie afford landing fields for land and sea planes;

(9) Site remote from attack by sea, land or air;

(10) Investigation will reveal many other considerations of equal importance; and

WHEREAS, the growing importance of power transmission to reclamation in Montana was recently reflected in President Roosevelt's budget message to Congress; and

WHEREAS, Five Hundred Thousand (\$500,000.00) Dollars for Fort Peck was asked by President Roosevelt for the commencement of construction of transmission lines, sub-stations, and such other facilities as might be required by the bureau for distribution of Fort Peck power, which is to be generated during the coming year as a result of previous work which has been done and will be done in the ensuing year, and which

will result in the expenditure of several million dollars which has already been appropriated or will be appropriated for its completion; and

WHEREAS, the United States government in its program of national defense is making provision for the rapid expansion and enlargement of aviation and is creating new army and navy air bases; and

WHEREAS, the aviation program of the United States contemplates through the cooperation of colleges, universities, and commercial schools the training of many thousand air pilots annually; and

WHEREAS, there is no army or navy air base, at or near Fort Peck, Montana, and on account of its location, isolation, climate, and distance from other air bases, it is a logical location for an air base; and

WHEREAS, the Fort Peck dam will create a large lake one hundred and eighty-seven miles long, sixteen miles in maximum width and will have a shore line of twenty-five hundred miles, and as such will be an important asset to an air base; and

WHEREAS, with the completion of the dam, the United States government will have on hand property, which cost many million dollars and which will have to be sold at a great sacrifice, unless provision is made for its use at its present location.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives, that the Congress of the United States of America be respectfully urged to employ the utilities and facilities now available at Fort Peck, Montana, in the plan of national defense.

BE IT FURTHER RESOLVED, that a copy of this House Memorial be submitted by the Secretary of the State of Montana, to the President of the United States, to the Council of National Defense, to both Houses of the National Congress, to the Secretary of War, to the Secretary of Navy, and Chief of Army Engineers, and each of the Senators and Representatives in Congress from the State of Montana.

On motion of Friedl, duly seconded and carried, said House Memorial No. 2 was adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 9: Introduced by Lippard and Friedl: A bill for an act entitled: "An act providing for the employment, discharge and compensation of assistants to civil executive state officers, boards, commissions and departments, and delegating certain powers relating thereto to the board of examiners and repealing all acts and parts of acts, and particularly Chapter 5, the Laws of 1937, in conflict herewith." Referred to State Boards and Offices.

House Bill No. 10: Introduced by Armstrong: A bill for an act entitled: "An act providing for the disposition of all moneys received from drivers license fees, corporation license taxes, electric energy producers license taxes, metalliferous mines license taxes, telegraph license taxes, oil producers license taxes, natural gas distributors license taxes, liquor license taxes, telephone license taxes, inheritance and estate taxes, income taxes, Montana beer act, net revenues from state liquor control act, moneys collected and received by State Railroad Commission, State Public Service Commission, State Board of Health, Department of Agriculture, Labor and Industry, State Examiner, State Forester, Higher Educational Institutions, Reformatory, Custodial and Penal Institutions, State Hospitals and Sanitariums; providing for the transfer of fund balances to the State general fund; amending Sections 1741.12, 2343.3, 2344.12, 2399, 2815.50 Revised

Codes of Montana 1935 relating to license taxes and fees and the disposition thereof; and repealing Sections 2295.28, 2303.12, 2355.9, 2408.9, 2815.157 and 10400.49, Revised Codes of Montana 1935, and Subsection 1 of Section 11 of Chapter 87, Section 29 of Chapter 84, Section 7 of Chapter 91, Section 9 of Chapter 94, Section 11 of Chapter 199, and Section 7 of Chapter 201, of the Session Laws of 1937, and all other acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Joint Memorial No. 2 introduced by Rice: A memorial entitled: "A memorial to the Congress of the United States requesting the enactment of appropriate legislation in the name of patriotism and justice making all bonds issued by the United States government, any state or other governmental agency, taxable." Referred to Federal Relations.

House Joint Resolution No. 2: Introduced by the Committee on Employment: A House Joint Resolution entitled: "A joint resolution declaring an emergency to exist and providing for compensation and employment of an additional assistant law clerk during this Twenty-seventh Legislative Assembly of the State of Montana pursuant of the authority granted by the Section 77 of the Revised Codes of Montana, 1935." Referred to Committee on Employment.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your committeemen on employment, having had under consideration applicants for employment, beg leave to report:

Stenographers:

Esther Lahood
Pernella Shea
Frank Corr
Laura Turk
Kate Howe

Marie Watkins
Inez Schafer
Clifford Parson
Ruth Johnson

Janitors:

George Wedgewood
Jack Lowney

Clark Nockelby

LIPPARD, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, January 14th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

NINTH DAY

House of Representatives,
Helena, Montana,
January 14, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eighth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

The Speaker made the following committee appointments:

Committee on Federal Relations: Stevens of Cascade, Chairman; Nash of Missoula, Vice-Chairman; Harrison of Lewis and Clark, Scott of Phillips, Welcome of Park, Holding of Missoula, Martin of Fergus, Wilson of Carbon, Petersen of Sheridan, Oliver of Carter, Hess of Hill, Forbregd of Daniels, Davey of Roosevelt, Eggenberger of Wheatland, McMichael of Sanders.

Committee on Ways and Means: Friedl of Valley, Chairman; Davey of Roosevelt, Vice-Chairman; Oliver of Carter, Green of Dawson, Flook of Fergus, Nash of Missoula, Spiegel of Silver Bow, Hageman of Garfield, Parker of Flathead, Fewkes of Lincoln, Lehrkind of Gallatin, Parker of Cascade, Allen of Park, Nelson of Golden Valley, Antrim of Ravalli.

Committee on Affairs of Cities: Hess of Hill, Chairman; O'Brien of Silver Bow, Vice-Chairman; Dillavou of Yellowstone, Goodwin of Silver Bow, Armstrong of Flathead, Nash of Missoula, Curran of Silver Bow, Toole of Cascade, Beck of McCone, Busch of Fallon, Williams of Yellowstone, Lowe of Dawson, McMichael of Sanders, Allen of Park, Spiegel of Silver Bow.

Committee on Horticulture: Cummings of Cascade, Chairman; Winters of Ravalli, Vice-Chairman; Kemis of Richland, Dahlquist of Valley, Armstrong of Flathead, McDaniel of Lake, Phelan of Yellowstone, Banka of Pondera, Parker of Cascade, Green of Dawson, Martin of Fergus, Hazelbaker of Missoula, Nelson of Golden Valley, Beck of McCone, Parker of Wibaux.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Ahern: A bill for an act entitled: "An act to amend Section 2235 Revised Codes of Montana, 1935, as amended by Chapter 181 of Twenty-sixth Legislative Assembly, relating to the sale of unredeemed property by County Commissioners."

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 11: Introduced by Hageman: A bill for an act entitled: "An act prohibiting the use of certain canes except by blind persons, providing protection against accidents to such persons, and providing penalties for violation hereof." Referred to Committee on Public Safety.

House Bill No. 12: Introduced by Hageman: A Bill for an act entitled: "An act to amend Section 5306 of the Revised Codes of Montana, 1935, relating to the power of a council to discontinue streets or alleys, to provide that the County Commissioners have the power to discontinue streets or alleys in unincorporated towns." Referred to Committee on Affairs of Cities.

House Bill No. 13: Introduced by Petersen: A bill for an act entitled: "An act permitting boards of County Commissioners to provide at their option additional judges and clerks of election for the purpose of counting and tabulating votes and defining the duties and powers of the judges and clerks in each precinct containing one hundred and fifty or more registered voters, provided said precincts do not use voting machines." Referred to Committee on Privileges and Elections.

House Bill No. 14: Introduced by Lowe: A bill for an act entitled: "An act to amend Sections 4884, 4884.1 and 4885, Revised Codes of Montana,

1935, relating to mileage for members of the Legislative Assembly, State officers, county officers, township officers, jurors, witnesses, sheriffs and all other persons." Referred to Committee on State Boards and Offices.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, having had under consideration House Joint Resolution No. 2, introduced by Committee on Employment: A Joint Resolution declaring an emergency to exist and providing for the compensation and employment of an additional assistant law clerk during the Twenty-seventh Legislative Assembly of the State of Montana pursuant to the authority granted by Section 77 of the Revised Codes of Montana 1935. Be it resolved by the House of Representatives of the Twenty-seventh Legislative Assembly of the State of Montana, the Senate concurring: Respectfully report as follows: That House Joint Resolution No. 2 do pass.

LIPPARD, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that in reference to the matter of a mailing list, that the mailing list of each member of the House be set at five bills per member and that the mailing clerk be instructed to act accordingly.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Joint Resolution No. 2, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

The Speaker appointed the following committees:

Committee on Labor: Murray of Deer Lodge, Chairman; Parker of Cascade, Vice-Chairman; Clifford of Deer Lodge, Loughran of Silver Bow, Cummings of Cascade, Kirscher of Broadwater, Horrigan of Granite, Hammond of Yellowstone, Holding of Missoula, McDaniel of Lake, Carlson of Jefferson, Potter of Meagher, Harrison of Lewis and Clark, Aronson of Glacier, Beazley of Musselshell.

Committee on State Lands: Gunderson of Cascade, Chairman; Banka of Pondera, Vice-Chairman; Scofield of Powder River, Busch of Fallon, Beck of McCone, Anderson of Phillips, McKenna of Judith Basin, Rasmussen of Blaine, Harrison of Lewis and Clark, Forbregd of Daniels, James of Liberty, Laubach of Teton, Reed of Blaine, Parker of Wibaux, Simpson of Custer.

Committee on Townships and Counties: Tyler of Sheridan, Chairman; McKenna of Judith Basin, Vice-Chairman; Lynch of Chouteau, Hageman of Garfield, Blenkner of Stillwater, Potter of Meagher, Hunter of Lewis and Clark, Nelson of Golden Valley, Scofield of Powder River, Reed of Blaine, Ahern of Hill, Dahlquist of Valley, McGreevey of Deer Lodge, Byrne of Toole, Wilson of Carbon.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Toole: A bill for an act entitled: "An act providing for the creation of a retirement list of Fish and Game department employees; providing age qualifications for those hereafter to be appointed as employees of said department; providing for those who are entitled to be placed upon said retirement list; providing for the creation of a retirement fund for the payment of salaries of those on the retirement list, and specifying the salary limits thereof."

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 15: Introduced by Stevens: A bill for an act entitled: "An act for the payment of old age pensions; establishing a state old age pension commission; defining the qualifications of those entitled to receive old age pensions; providing for the administration of said act; providing for forms of applications; providing funds for the state old age pension commission and establishing a special fund known as the state old age pension fund; providing that aid from the United States government in furtherance of this act be placed in said fund; providing for eligibility to receive pensions; providing for the residence of applicants, and change of residence; providing for the expenses incurred in carrying out the provisions of the act; prohibiting assignments of grants; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House recessed subject to the Call of the Chair.

House resumed. Speaker Pro Tem in the Chair.

The House proceeded out of order, and John Ritch, State Historical Librarian, gave a talk on the Charles Russell painting hanging in the House Chamber.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday, January 15th, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

TENTH DAY

House of Representatives,
Helena, Montana,
January 15, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Fewkes and Murray.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Ninth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

The Speaker appointed the following committees:

Committee on Public Morals, Charities and Reforms: Lippard of Chouteau, Chairman; O'Connor of Carbon, Vice-Chairman; O'Brien of Silver Bow, Parker of Flathead, Beazley of Musselshell, Cummings of Cascade, Curran of Silver Bow, Oliver of Carter, Martin of Madison, Vanek of Fergus, Winters of Ravalli, Zuck of Roosevelt, Harken of Rosebud, Gebhardt of Yellowstone, Dahlquist of Valley.

Committee on Railways and Railway Transportation: Ballard of Silver Bow, Chairman; Gebhardt of Yellowstone, Vice-Chairman; Esp of Sweetgrass, LaBonte of Flathead, Hess of Hill, Busch of Fallon, Simpson of Custer, Potter of Meagher, Rasmussen of Blaine, Cole of Prairie, Welcome of Park, Flook of Fergus, Lippard of Chouteau, Dahlquist of Valley, Davey of Roosevelt.

Committee on Livestock and Public Ranges: Rice of Big Horn, Chairman; Kirscher of Broadwater, Vice-Chairman; Saylor of Petroleum, Scofield of Powder River, Cole of Prairie, Simpson of Custer, Tonn of Custer, Potter of Meagher, Anson of Beaverhead, Forbregd of Daniels, Esp of Sweet Grass, Nelson of Golden Valley, Phelan of Yellowstone, Eggenberger of Wheatland, Martin of Madison.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following memorial correctly enrolled: House Memorial No. 1.

COLE, Chairman.

Report adopted.

Mr. Speaker: I have examined House Memorial No. 1, introduced by me and find the same to be correct.

FRIEDL.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Ahern: A bill for an act entitled: "An act to repeal Section 552 of the Revised Codes of Montana 1935, relating to the establishment of voting precincts within or at an Indian agency."

By LaBonte: A bill for an act entitled: "An act providing for the admission of Alice Pulver, aged and indigent daughter of a deceased Civil War veteran, to the Montana Soldier's Home at Columbia Falls, Montana."

By Allen: A bill for an act entitled: "An act to amend Section 5711 Revised Codes of Montana of 1935 relating to the obtaining of a license for marriage, and providing for application therefore, to define the duties of the Clerk of the District Court in relation thereto, and providing penalties for violation of said duties."

By Dillavou: A bill for an act entitled: "An act providing for instruction in health, physical education and recreation in the elementary and secondary schools in the state; providing for the preparation of courses of instruction therein and for the appointment of a supervisor of physical education."

By Busch: A bill for an act entitled: "An act regulating the construction and use of artesian wells prescribing the duties of the Water Conservation Board in connection therewith and prescribing the duties and liabilities of owners of the subterranean waters; providing for the taxation of artesian wells and providing for the bonding of a driller of an artesian

well and regulating the location, construction and report of waterways and the distribution of surplus waters."

By Dillavou, Williams, Hammond, Gebhardt and Phelan: A bill for an act entitled: "An act creating the State Library Extension Commission, defining its members and their terms of office, specifying its general duties and powers; and providing that it shall issue professional librarian's certificates upon examination or qualification therefor, providing the fee to be charged applicants for certificates, providing that only certified librarians shall be employed after the effective date of this act, and defining the libraries to which this act shall be applicable; and amending Sections 1575.1 and 1575.2, Revised Codes of Montana of 1935, and repealing all acts and parts of acts in conflict herewith.

By Friedl: A bill for an act entitled: "A bill for an act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 2 of Article XIX of the Constitution of the State of Montana relating to powers of the Legislative Assembly to authorize lotteries or gift enterprises, to be conducted by the State of Montana."

By Watson: A bill for an act entitled: "An act to amend Section 23.1 Chapter 137 of the laws of 1937 as amended by the Twenty-sixth Legislative Assembly, 1939, providing for unemployment compensation; creating a State Unemployment Compensation Commission; establishing an unemployment compensation fund and providing for the administration, distribution and investment thereof; providing for the assessment and collection of contributions upon pay rolls of employers; creating a State Employment Service and providing an appropriation therefor; and providing penalties for violation; by adding a section to be known as Section 23.1 and repealing all acts and parts of acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 6 entitled, A bill for an act entitled: "An act providing for the filing of assignments of conditional sales contracts and imparting notice thereof." Respectfully report as follows: That House Bill No. 6 be amended by striking therefrom the whole of Section 2 thereof, and that as amended the same do pass.

TOOLE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to transmit herewith a report of the pardons and commutations of sentence granted and of fines remitted by the Governor since his report to the Twenty-sixth Legislative Assembly.

SAM C. FORD,
Governor.

It was moved by Byrne, duly seconded and carried, that the report of the Governor be considered read at length and the Journal so show.

REPORT OF PARDONS, COMMUTATIONS OF SENTENCES AND REMISSION OF FINES

January 1, 1939 to January 6, 1941.

PARDONS

ALFRED HAMEL—Broadwater county; grand larceny; sentenced January 31, 1938; thirteen months. This man served his full sentence but because of deportation proceedings upon basis of felony conviction pardon was granted to prevent deportation. Pardon granted April 3, 1939.

JOHN AKERS—Roosevelt county; grand larceny; January 17, 1938; five years. Sentenced on two convictions to five years each, to run consecutively. Since he was only an accomplice and aided officers in breaking up ring, sentence was excessive. Good behavior in prison. Commutation and pardon granted November 27, 1939.

KENNETH ZACHARY—Petroleum county; grand larceny; February 9, 1934; one year. Was not committed until November 17, 1939. Complaining witness and county officers believed that intervening time had changed circumstances and that imprisonment at that late date was unjust. Pardon granted December 15, 1939.

ANDRE GIROUX—Robbery; Deer Lodge county; December 8, 1937; ten years. Sufficient time served. Primary trouble was return to old haunts and intoxication. Pardon granted on condition that he does not enter either Deer Lodge or Silver Bow Counties, March 19, 1940.

MURIEL MURPHY and WILLIAM NEWMAN—Cascade county; murder in the first degree; May 20, 1937; life. Pardon based on extreme youth of pair. Clemency requested by great number of citizens and recommended by judge, county attorney, all other officers of Cascade county. Pardon on condition they remain under supervision of State Parole Board for period of ten years. Pardon granted April 27, 1940.

LOUIE WON—Silver Bow county; murder in the first degree; September 31, 1926; life. Mitigating circumstances surrounding crime render time served sufficient punishment. Strong sentiment in favor of clemency. Pardon granted November 27, 1940.

MIKE CHRISTOFF—Prairie county; grand larceny; January 31, 1922; one year. Pardon granted to prevent deportation to Europe. Excellent reputation. Full time served. Pardon granted November 27, 1940.

WILLIAM J. HEASTON—Beaverhead county; murder; January 18, 1939; life. Extreme age and bad health of prisoner. Excessive sentence for crime under the surrounding circumstances. Pardon granted November 29, 1940.

PETE BURT—Beaverhead county; burglary; December 16, 1940; seven years. Extremely bad health necessitated better medical attention than was afforded by prison facilities. Had served approximately half of his sentence. Pardon granted December 16, 1940.

FRANK PALFFY—Gallatin county; grand larceny; November 27, 1933; one year. Had served full sentence but was subject to deportation. Had very good reputation in community and was endeavoring to obtain citizenship papers. Pardon granted December 17, 1940.

DECK FLEMING—Wheatland county; murder in the first degree; December 13, 1922; life. Subject had been on parole for four years and had faithfully carried out the requirements of his parole. Had been gainfully employed during that time. Pardon granted December 17, 1940.

WALTER J. COWLING—Missoula county; murder in the second degree; August 17, 1938; twelve and one-half years. Opinion of arresting officers that if prisoner had not pleaded guilty there would have been no conviction. Circumstances surrounding case are such that immediate release should be made. Pardon granted December 17, 1940.

JIM McCANN—Gallatin county; third degree assault; November 10, 1939; thirty days and one hundred dollars. Extreme bad health certified by doctor. Continued imprisonment would undoubtedly result in death. Pardon granted November 16, 1939.

LEONARD GOETTLICH—Helena Township, Lewis and Clark county; third degree assault; July 5, 1940; 120 days in jail. Investigation of case revealed that sentence was excessive. Clemency recommended by prosecuting officials and many citizens. Pardon granted August 21, 1940.

JOHN LESTER DOUCETT—Fort Benton Township, Chouteau county; disturbing the peace; July 8, 1940; sixty days and \$100.00 fine. High officials of town and prosecuting attorney recommended his release. Pardon granted July 24, 1940 and fine remitted.

COMMUTATIONS OF SENTENCES

PATRICK CONLON—Deer Lodge county; robbery; sentenced December 8, 1937; two years. Commutation of this man's sentence because of the dangerous condition of his health. Prison hospital facilities not sufficient. Commutation made March 13, 1939.

GEORGE MOTARI—Cascade county; burglary in the first degree; sentenced May 29, 1935; fifteen years. Time served was sufficient punishment. Commutation upon basis of numerous recommendations by all peace officers and many citizens of Cascade county. Commutation made April 4, 1939.

THEODORE CHRONOPOLOUS—Silver Bow county; murder; sentenced September 23, 1921; life. Sentence commuted because of prisoner's excellent behavior and danger of becoming insane. Sentence commuted April 5, 1939.

THOMAS MARTIN—Lewis and Clark County; felony; sentenced November 6, 1929; fifty years. Sentence excessive and time served sufficient punishment. Recommended by county officials connected with case. Commutation made April 17, 1939.

BILL JARVIS, JR.—Lewis and Clark county; burglary in the first degree; December 3, 1936; eight years. Time served sufficient punishment. Recommended by numerous citizens and county officers. Good record in prison. Commuted May 22, 1939.

WILLIAM DYKES—Gallatin county; assault in the second degree; October 24, 1938; five years. Extenuating circumstances in case rendered sentence excessive. Recommended by members of jury, county officers and citizens of county. Commutation granted August 5, 1939.

EARL THORNTON—Cascade county; murder in the second degree; June 7, 1937; thirty years. Excellent prison record. Time served sufficient punishment. Recommended highly by warden. Commutation granted August 5, 1939.

FRED SHADOAN—Gallatin county; burglary in the first degree; June 7, 1937; five years. Extenuating circumstances in case and excellent record while in prison. Sentence excessive. Commutation granted August 5, 1939.

HENRY HUNT—Sweet Grass county; murder in the first degree; January 31, 1927; life. Exemplary record in prison. Served sufficient time. Had only few years of life left. Commutation granted August 5, 1939.

HOMER BAKER and WALTER GIZA—Yellowstone county; grand larceny; March 3, 1938; four years. All stolen property returned or paid for. Excellent prison record. Since third party involved in crime was at

liberty the county officials believed that these two had served sufficient time. Commutation granted October 27, 1939.

ERNEST SORENSON—Beaverhead county; unnatural crime against nature; August 4, 1937; five years. Commutation requested by numerous citizens of county and recommended by judge. Exemplary behavior in prison. Commutation made November 6, 1939.

LEO BEAN—Liberty county; burglary in the first degree; January 10, 1935; twenty years. Sentence excessive. Time served in such a manner as to be sufficient punishment. Commuted November 27, 1939.

JOE LACOUNT—Richland county; murder; November 13, 1931; life. Because of extreme age and very bad condition of his health it was certain that he would never again become entangled with the law. Commuted November 27, 1939.

JOHN LINNINGER—Flathead county; assault in the second degree; October 31, 1938; three years. Strong extenuating circumstances revealed which rendered sentence excessive. Commutation granted November 27, 1939.

JOHN ERNEST ELLENBERG—Carbon county; murder in the second degree; September 9, 1937; twenty years. Feeling so high in community that case was prejudiced against prisoner. Recommended by all officers and great number of citizens. Commutation made November 27, 1939.

OSCAR L. HAMPTON—Gallatin county; robbery; July 31, 1939; three years. After sentence pronounced it was definitely found that Hampton had taken no part in crime. Strongly recommended by county officers. Commuted on December 7, 1939.

AL OLSEN—Lewis and Clark county; rape; October 24, 1938; five years. Sentence excessive. Recommended by county officers and numerous citizens of community. Commutation made December 11, 1939.

JACK SHEA—Lewis and Clark county; burglary; February 1, 1939; two years. Time served was sufficient punishment. Clemency would encourage young man to become law-abiding. Recommended by very responsible citizens. Commutation made December 18, 1939.

JOUIS JETTE—Missoula county; grand larceny, burglary; June 8, 1938; four years for each conviction to run concurrently. Commutation requested by judge and all other law enforcement officers and many citizens of community. Commutation made January 9, 1940.

ALEX RUFF—Yellowstone county; forgery; December 14, 1936; five years. Yellowstone county; forgery; January 16, 1939; two years. The first sentence which had been suspended was revoked upon latter conviction. In both cases both judges stated that it was not their intention that Ruff should serve in excess of one year. Warden recommended. Commutation made January 9, 1940.

WILLIAM VAUGHN—Lincoln county, burglary; January 27, 1939; three years. Extreme youth of the prisoner and extenuating circumstances of case rendered sentence excessive. Commuted January 27, 1940.

TED REINHARDT—Park county; grand larceny; April 26, 1939; three years. Reinhardt was only a youth at time of crime and was an accomplice of an older man. Recommended by citizens of his community. Commutation made March 25, 1940.

ROSCOE B. DAVIDSON—Lake county; embezzlement by a public officer; October 18, 1938; six years. Good character; excellent prison behavior. Strongly recommended by all public officials of Lake county. Commutation made March 27, 1940.

LOUIE BUCY—Gallatin county; assault in the first degree; December 14, 1936; eight years. Circumstances surrounding crime extenuating and time served sufficient punishment. Excellent behavior during incarceration. Commuted sentence May 23, 1940.

LOUIS LAWRENCE—Silver Bow county; kidnapping; May 3, 1939; three years. Mitigating circumstances in crime; excellent character and background of young man. Clemency recommended by numerous citizens of Silver Bow county and county attorney. Commutation made May 27, 1940.

MICHAEL DAVID LAVELLE—Flathead county; murder in the first degree; December 6, 1930; life. Very strong requests from officials and citizens of Flathead county for clemency. Sentence excessive for crime. Commutation made June 3, 1940.

CHARLES NAGEL—McCone county; manslaughter; November 24, 1939; three years. Jury recommended suspended sentence because of facts surrounding case. Clemency requested by county officials and great number of citizens of county. Commutation made July 23, 1940.

HUBERT KIEDROWSKI—Hill county; forgery; February 15, 1940; one year and six months. Sufficient time served for punishment. Early release would greatly encourage rehabilitation. Many Hill county residents requested clemency. Commutation made July 24, 1940.

GLENN JOHNSON—Yellowstone county; felony (bad checks); September 6, 1939; two years. Behavior and attitude in prison revealed that he had served sufficient time for punishment. Opportunity for employment. Commutation made September 9, 1940.

MICHAEL LAUGHLAN—Deer Lodge county; robbery; December 8, 1937; five years. All city officials of Anaconda requested clemency and release of Laughlan under supervision of chief of police. Commutation made September 9, 1940.

W. H. WHITE—Hill county; embezzlement by public officer; May 17, 1939; four years. Sentence excessive in view of circumstances of crime. Recommended by great number of Hill county citizens. Commutation made September 9, 1940.

ELDON CAMERON—Lewis and Clark county; robbery; April 19, 1930; four years. All peace officers and many prominent citizens of Hill county recommended clemency on belief that sentence was excessive. Excellent background. Commuted October 9, 1940.

WALTER ROMAINE SMITH—Silver Bow County; grand larceny; March 25, 1939; eight years. Prosecuting officers opinion that Smith not a criminal and had served sufficient time. Commutation made December 4, 1940.

CLARENCE NEUMAN—Powell county; robbery; February 11, 1937; twenty years. Sentence excessive in view of changed attitude during imprisonment. Had opportunity for rehabilitation. Commuted December 4, 1940.

HENRY JONES—Stillwater county; murder in the second degree; October 21, 1931; thirty years. Strong recommendation by warden because of exemplary behavior and reformation. Prosecuting attorney favors clemency. Sentence commuted December 6, 1940.

GEORGE SHELTON—Toole county; robbery; November 13, 1937; sixteen years and one day. Excellent background. Time served sufficient to teach lesson and thorough punishment. Liberty under supervision of father. Commutation made December 7, 1940.

M. F. COLLINS—Carter county; rape; May 4, 1932; twenty-five years. Circumstances of crime not brought out until after conviction which rendered sentence excessive. Excellent behavior and attitude while imprisoned. Commutation made December 7, 1940.

CHARLES MORRIS—Meagher county; murder in the second degree; November 30, 1934; twenty years. Behavior and attitude in prison earned consideration. Warden strongly recommended clemency. Commutation made December 9, 1940.

JESS MOORE—Beaverhead county; murder in the second degree; November 23, 1934; twenty-five years. Opinion, borne out by investigation, of sheriff and many citizens of county that sentence was excessive in view of facts surrounding case. Commutation made December 17, 1940.

JAMES MILLER—Gallatin county; murder in the second degree; December 2, 1935; twenty years. Extenuating circumstances in case which made sentence excessive. Commuted December 17, 1940.

JOHN W. MULKEY—Meagher county; grand larceny; January 16, 1940; three years. Prosecuting officers believe that sentence was excessive. Strongly recommended by warden that sentence be reduced. Commutation made December 17, 1940.

BERT DORLAND—Deer Lodge county; murder in the second degree; February 4, 1939; twenty-five years. Good reputation before crime. Sentence excessive in view of facts surrounding case. Clemency recommended by peace officers. Commutation made December 18, 1940.

RAY TAYLOR—Valley county; robbery; December 8, 1940; thirty years. Companions in crime have been at liberty for some time. Excellent prison record, trustee for many years. No objections by officers connected with case. Commutation made December 28, 1940.

EARLE J. COLE—Great Falls Township, Cascade county; misdemeanor (writing a bum check); June 11, 1940; six months in jail. Many citizens of Great Falls felt sentence was excessive. Wished to join army. Commutation made September 19, 1940.

WALTER ROBERT DANIELS—Pondera county; contributing to delinquency of a minor; September 6, 1940; six months. The judge and all other peace officers requested clemency. Commutation made December 9, 1940.

REMISSION OF FINES

TED MAYER—Gallatin county; larceny of an automobile; May 27, 1938; six months in jail and fined \$500.00. Had served all of jail sentence and part of fine. Officers of county requested clemency. Fine remitted May 22, 1939.

SIDNEY DEEGAN and LARRY McCORMICK—Glasgow Township, Valley county; third degree assault; April 25, 1939; four months in jail and \$100.00 fine each. All officers connected with the case thought jail sentence sufficient punishment and requested remission of fines. Fines remitted August 14, 1939.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 16: Introduced by Ahern: A bill for an act entitled: "An act to amend Section 2235 Revised Codes of Montana 1935, as amended by Chapter 181 acts of Twenty-sixth Legislative Assembly, relating to

the sale of unredeemed property by County Commissioners." Referred to Committee on Townships and Counties.

House Bill No. 17: Introduced by Toole: A bill for an act entitled: "An act providing for the creation of a retirement list of Fish and Game department employees; providing age qualifications for those hereafter to be appointed as employees of said department; providing for those who are entitled to be placed upon said retirement list; providing for the creation of a retirement fund for the payment of salaries of those on the retirement list, and specifying the salary limits thereof." Referred to Committee on Fish and Game.

House Bill No. 18: Introduced by Bjerneby: A bill for an act entitled: "An act providing that it shall be unlawful for any person, association of persons or corporation to place or maintain poles, piles, piers, wharfs, booms or other obstructions in the waters of navigable lakes and streams of the State of Montana, unless lights shall be placed upon such poles, piles, piers, wharfs, booms or other obstructions, and providing penalties for the failure to comply with this act." Referred to Committee on Public Safety.

It was moved by Byrne, duly seconded, that House Rule No. 36 be amended by striking out in lines 4 and 5 the words "five hundred" and inserting instead, the words "seven hundred." Said motion was referred to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of general orders.

CONSIDERATION OF GENERAL ORDERS

Toomey in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Joint Resolution No. 2, recommend that the same do pass.

TOOMEY, Chairman.

Report adopted.

The Speaker signed House Memorial No. 1 in open session.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following memorial correctly enrolled: House Memorial No. 2.

COLE, Chairman.

Report adopted.

I have examined House Memorial No. 2 introduced by me and find the same to be correct.

FRIEDL.

The Speaker signed House Memorial No. 2 in open session.

The Speaker appointed the following committee:

Committee on Military Affairs: Clifford of Deer Lodge, Chairman; Petersen of Sheridan, Vice-Chairman; Rice of Big Horn, Freshmen of Silver Bow, Gunderson of Cascade, Hunter of Lewis and Clark, Martin of Madison, Newell of Carbon, Gebhardt of Yellowstone, Potter of Meagher, Aronson of Glacier, Winters of Ravalli, Busch of Fallon.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Mernin, by request: A bill for an act entitled: "An act to amend Section 2917 of the Revised Codes of Montana of 1935 of the Workmen's Compensation Law relating to medical and hospital services and such other treatment as approved by the board."

By Nash and Toomey: A bill for an act entitled: "An act to amend Section 5384 of the Revised Codes of Montana of 1935 relating to supervisory powers of mayor and councilmen—election and removal of officers—police judge."

By Oliver: A Joint Memorial entitled: "A memorial in relation to the construction of a water conservation project in the valley of the Little Missouri river for the irrigation of lands in the Little Missouri valley in Wyoming and Montana."

By Tyler, Byrne, Davey, Simpson, Forbregd, Holding, Lowe, Toomey, Petersen: A bill for an act entitled: "An act providing for the appointment and establishment of a Board of Embalmers and Funeral Directors defining its duties and powers: transferring the records, files and funds of the Montana State Board of Health, relating to the supervision of embalming to the board herein created: providing that all funds be deposited with the treasurer of the State of Montana: defining the profession of embalming and funeral directing: providing for the qualifications of embalmers and funeral directors, internes and apprentices, and providing for the examination thereof: providing for licensing embalmers, internes and apprentices, and funeral directors, and prescribing the fees and renewal fees therefor: prohibiting the practice of the profession of embalmer, interne and apprentice and funeral director without a license, and prescribing penalties for the violation of this act: permitting those now licensed as embalmers, and funeral directors practicing for more than one year prior to the passage of this act to obtain a license without examination: providing for the suspension, revoking and cancelling of licenses, notice thereof, and appeals to the courts from the action of the board thereon: providing that if any part of this act be declared unconstitutional the remaining portions should not be affected: and repealing all acts, or parts of acts in conflict herewith."

By Holding: A bill for an act entitled: "An act to amend Section 2815.50 of the Revised Codes of Montana of 1935, relating to the disposal of funds received under the provisions of the Montana Beer Act."

By Holding: A bill for an act entitled: "An act to amend Section 5081, of the Revised Codes of Montana of 1935, relating to warrants upon the treasurer of any city or town 'not paid for want of funds'."

By Holding: A bill for an act entitled: "An act to amend Section 29, Chapter 84, laws of the Twenty-fifth Legislative Assembly of the State of Montana relating to the regulation, licensing and sale of liquor at retail in the State of Montana."

By Holding: A bill for an act entitled: "An act to amend Section 4625 and Section 4753 of the Revised Codes of Montana of 1935, relating to the

rate of interest paid by counties in Montana, on county warrants 'not paid for want of funds'."

By Petersen, Tyler, McKenna, Anderson, Oliver, Cole: A bill for an act entitled: "An act relating to an emergency and to the granting of relief from mortgage foreclosures and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all acts and parts of acts in conflict herewith, but act not to be construed as repealing Chapter 124 of the Twenty-sixth Legislative Assembly of the State of Montana, or any part thereof."

By Mernin by request: A bill for an act entitled: "An act to amend Section 2952 of the Revised Codes of Montana of 1935, as amended by Chapter 67 of the Session Laws of 1937 relating to Workmen's Compensation: and to repeal all acts and parts of acts in conflict herewith."

By Holding: A bill for an act entitled: "An act to amend Section III, Part III, Chapter 82, laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the amount of old age assistance granted to qualified persons by the state department of Public Welfare and county departments of Public Welfare."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration a motion by Byrne to amend House Rule No. 36, respectfully report as follows: That House Rule No. 36 be amended by striking out in lines 4 and 5 the words "five hundred" and inserting the words "one thousand", and as so amended that the motion do pass.

CANNON, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the following motion be referred to the Committee on Rules, Joint Rules and Order of Business:

Mr. Speaker: I move to amend Joint Rule No. 11 of the Joint Rules of the House and Senate by inserting in line No. 8 of said rule, immediately following the word "inaccuracies" in lieu of the semi-colon, a comma, and the following words: "provided, however, that the date of final enrollment may be written on the bill with pen and ink;"

It was moved by Byrne, duly seconded, and unanimously carried, that the Speaker be granted permission to increase the number of members on the Committee on Fish and Game to eighteen.

The Speaker appointed the following committee:

Committee on Fish and Game: Welcome of Park, Chairman; Cannon of Silver Bow, Vice-Chairman; Ballard of Silver Bow, Lowe of Dawson, Banka of Pondera, Fewkes of Lincoln, McMichael of Sanders, McGreevey of Deer Lodge, Miller of Treasure, Winters of Ravalli, Esp of Sweet Grass, Davey of Roosevelt, Clifford of Deer Lodge, Carlson of Jefferson, Cummings of Cascade, Armstrong of Flathead, Horrigan of Granite, Burke of Gallatin.

It was moved by Byrne, duly seconded and carried that House Joint Resolution No. 2 be considered correctly engrossed and placed on Third Reading.

THIRD READING

House Joint Resolution No. 2 having been read three several times, history and title agreed to, passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Gebhardt, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Lip-pard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin (Madison), Mernin, Miller, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker (Wibaux), Parker (Flathead), Parker (Cascade), Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Stevens, Stromnes, Toole, Toomey, Tyler, Vanek, Watson, Walcome, White, Williams, Wilson, Winters, Zuck. Total 88.

Noes: Goodwin, Green, Kemmis, Martin (Fergus), Newell, Rice, Sco-field, Spiegel, Tonn. Total 9.

Absent and not voting: Cole, Freshman, Friedl, Morrow, Murray. Total 5.

It was moved by Toomey, duly seconded and carried, that the House adjourn until 10:30 o'clock A. M., Thursday, January 16th, 1941, and that such adjournment be taken out of respect for Dr. Henry Huntington Swain, who died on January 13th, 1941, aged 77 years. Dr. Swain was executive secretary of the Greater University of Montana since 1917; and from 1913 to 1917 was assistant superintendent of public instruction. He came to Montana as professor of economics at the Normal College in Dillon in 1898, and from 1901 to 1912 was president of the Dillon institution.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

ELEVENTH DAY

House of Representatives,
Helena, Montana,
January 16, 1941.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were ex-used: Banka and Holding.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Tenth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 6, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

The Speaker appointed the following committees:

Committee on Public Safety: O'Brien of Silver Bow, Chairman; Anderson of Phillips, Vice-Chairman; Miller of Treasure, Carlson of Jefferson, Tyler of Sheridan, Beck of McCone, Lynch of Chouteau, Kemmis of Richland, Castles of Mineral, White of Silver Bow, Zuck of Roosevelt, Banka of Pondera, Roehl of Fergus, Friedl of Valley, Stevens of Cascade.

Committee on Apportionment and Representation: Friedl of Valley, Chairman; Vanek of Fergus, Vice-Chairman; Kemmis of Richland, McDaniel of Lake, Green of Dawson, Nash of Missoula, Dillavou of Yellowstone, Lynch of Chouteau, Burke of Gallatin, Castles of Mineral, Spiegel of Silver Bow, Roehl of Fergus, Tonn of Custer, Miller of Treasure, Stevens of Cascade.

Committee on Insurance: Rice of Big Horn, Chairman; Hazelbaker of Missoula, Vice-Chairman; Freshman of Silver Bow, Potter of Meagher, Mernin of Silver Bow, Tyler of Sheridan, Hunter of Lewis and Clark, Byrne of Toole, Busch of Fallon, Scofield of Powder River, Horrigan of Granite, LaBonte of Flathead, Bjorneby of Flathead, Antrim of Ravalli, Burke of Gallatin.

Committee on State Institutions and Public Buildings and Grounds: Spiegel of Silver Bow, Chairman; Castles of Mineral, Vice-Chairman; Clifford of Deer Lodge, Gebhardt of Yellowstone, Watson of Missoula, Flook of Fergus, Scott of Phillips, Parker of Wibaux, Dillavou of Yellowstone, Bjorneby of Flathead, Rasmussen of Blaine, Lippard of Chouteau, McKenna of Judith Basin, Gunderson of Cascade, Eggenberger of Wheatland.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Antrim; Chairman of Committee on Revenue and Taxation: A bill for an act entitled: "An act to validate and legalize certain contracts for the repurchase of unredeemed property from counties by its former owner in certain cases."

By Antrim, Chairman of Committee on Revenue and Taxation: A bill for an act entitled: "An act to provide for credit on personal income tax for amounts paid as income tax on the same income to other states in certain cases."

By Antrim, Chairman of Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2211 of the Revised Codes of Montana of 1935, relating to piecemeal redemption of real property sold for taxes."

By Antrim, Chairman of Committee on Revenue and Taxation: A bill for an act entitled: "An act relating to the floating indebtedness of counties outstanding at the close of business on the twenty-eighth day of February, 1941, and providing for the levying of special taxes or the issuance of funding bonds to pay such indebtedness when the same exceeds a certain amount."

By Antrim, Chairman of Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 4465.4 of the Revised Codes of Montana of 1935 relating to the power to make, time of making and amount of levies for the support and maintenance of the indigent sick and otherwise dependent poor of the county."

By Antrim, Chairman of Committee on Revenue and Taxation: A bill for an act entitled: "An act to provide for the making of reports and statements with reference to net proceeds of mines by dissolved corporations or corporations which cease to do business, and the payment of the tax on such net proceeds."

By Antrim, Chairman of Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2381.21 of the Revised Codes of Montana of 1935, relating to the reports of railways and carriers of gasoline or other motor fuel transported by them."

By Antrim, Chairman of Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2295.10, relating to exemptions and change of status of taxpayer during the taxable year for personal income tax purposes."

By Antrim, Chairman of Committee on Revenue and Taxation: A bill for an act entitled: "An act to provide for the making of reports and statements with reference to the metals mines license tax by dissolved corporations or corporations which cease to do business and the payment of the metalliferous mines license tax."

By James: A bill for an act entitled: "An act to amend Section 1805.21, Revised Codes of Montana of 1935, as amended by Chapter 65, laws of the Twenty-sixth Legislative Assembly of 1939, relating to the renewal of leases on state lands and to repeal Section 1805.35, Revised Codes of Montana of 1935."

By Toole: A bill for an act entitled: "An act to amend Section 6968 of the Revised Codes of Montana of 1935, as amended by Section 1 of Chapter 166 of the laws enacted by the Twenty-fifth Legislative Assembly of the State of Montana, relating to the selection of homesteads, the quantity of land to be included therein and the value thereof, and of the dwelling house and appurtenances, and the basis of such value."

By Holding: A bill for an act entitled: "An act prohibiting persons hunting in this state from shooting at moving brush or any object which has not been unmistakably identified as game; providing that the shooting of any person by a hunter shall be prima facie evidence of criminal negligence; and fixing penalties for violation."

By Antrim, Chairman of Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Chapter 202 of the Laws of 1937 of the State of Montana, providing the method for computing certain deductions allowable on the net proceeds tax in the production of petroleum and natural gas in Montana."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 4, a bill for an act entitled: "An act to amend Section 4736 Revised Codes of Montana of 1935, relating to the time and offices to be kept open in the county seat." Respectfully report as follows: That House Bill No. 4 do not pass.

TYLER, Chairman.

It was moved by Tyler, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by Morrow, duly seconded, that House Bill No. 4 be printed and placed on General Orders. Motion was lost. Whereupon motion by Tyler was put and carried.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 1, a house joint memorial entitled: "A resolution memorializing the Congress of the United States for the passage of the legislation for the creation and establishment of the Townsend recovery plan, and for benefits to be paid to all persons over

the age of sixty years." Respectfully report as follows: That House Joint Memorial No. 1 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 2, "A Memorial to the Congress of the United States requesting the enactment of appropriate legislation in the name of patriotism and justice making all bonds issued by the United States government, any state or other governmental agency, taxable." Respectfully report as follows: That House Joint Memorial No. 2 do pass.

STEVENS, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 19: Introduced by LaBonte: A bill for an act entitled: "An act providing for the admission of Alice Pulver, aged and indigent daughter of a deceased Civil War veteran, to the Montana Soldiers' Home at Columbia Falls, Montana." Referred to Committee on Military Affairs.

House Bill No. 20: Introduced by Ahern: A bill for an act entitled: "An act to repeal Section 552 of the Revised Codes of Montana, 1935, relating to the establishment of voting precincts within or at an Indian agency." Referred to Committee on Privileges and Elections.

House Bill No. 21: Introduced by Watson: A bill for an act entitled: "An act to amend Section 23.1 Chapter 137 of the Laws of 1937 as amended by the Twenty-sixth Legislative Assembly, 1939, providing for unemployment compensation; creating a State Unemployment Compensation Commission; establishing an unemployment compensation fund and providing for the administration, distribution and investment thereof; providing for the assessment and collection of contributions upon pay rolls of employers; creating a state employment service and providing an appropriation therefor; and providing penalties for violation; by adding thereto a section to be known as Section 23.1 and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 22: Introduced by Holding: A Bill for an act entitled: "An act to amend Section 4625 and Section 4753 of the Revised Codes of Montana of 1935, relating to the rate of interest paid by counties in Montana, on county warrants, 'not paid for want of funds'." Referred to Committee on Banks and Banking.

House Bill No. 23: Introduced by Holding: A bill for an act entitled: "An act to amend Section 2815.50 of the Revised Codes of Montana of 1935, relating to the disposal of funds received under the provisions of the Montana Beer Act." Referred to Committee on Revenue and Taxation.

House Bill No. 24: Introduced by Holding: A bill for an act entitled: "An act to amend Section 5081, of the Revised Codes of Montana of 1935, relating to warrants upon the treasurer of any city or town 'not paid for want of funds'." Referred to Committee on Banks and Banking.

House Bill No. 25: Introduced by Holding: A bill for an act entitled: "An act to amend Section 29, Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana relating to the regulation, licensing and sale of liquor at retail in the State of Montana." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 26: Introduced by Holding: A bill for an act entitled: "An act to amend Section III, Part III, Chapter 82, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the amount of old age assistance granted to qualified persons by the State Department of Public Welfare and County Departments of Public Welfare." Referred to Committee on Social Security.

House Bill No. 27: Introduced by Lynch: A bill for an act entitled: "An act providing for an appointment of membership and representation of the several counties in Montana in the House of Representatives of the Legislative Assembly of Montana, and to fix the number of members thereof." Referred to Committee on Apportionment and Representation.

House Bill No. 28: Introduced by Tyler, Byrne, Davey, Simpson, Forbregd, Holding, Lowe, Toomey, Petersen: A bill for an act entitled: "An act providing for the appointment and establishment of a board of embalmers and funeral directors, defining its duties and powers; transferring the records, files and funds of the Montana State Board of Health, relating to the supervision of embalming to the board herein created; providing that all funds be deposited with the treasurer of the State of Montana; defining the profession of embalming and funeral directing; providing for the qualifications of embalmers and funeral directors, internes and apprentices, and providing for the examination thereof; providing for licensing embalmers, internes and apprentices, and funeral directors, and prescribing the fees and renewal fees therefor; prohibiting the practice of the profession of embalmer, interne and apprentice and funeral director without a license, and prescribing penalties for the violation of this act; permitting those now licensed as embalmers, and funeral directors practicing for more than one year prior to the passage of this act to obtain a license without examination; providing for the suspension, revoking and cancelling of licenses, notice thereof, and appeals to the courts from the action of the board thereon; providing that if any part of this act be declared unconstitutional the remaining portions should not be affected; and repealing all acts, or parts of acts in conflict herewith." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 29: Introduced by Dillavou, Hammond, Gebhardt, Williams, and Phelan: A bill for an act entitled: "An act creating the State Library Extension Commission, defining its members and their terms of office, specifying its general duties and powers; and providing that it shall issue professional librarians' certificates upon examination or qualification therefor, providing the fee to be charged applicants for certificates, providing that only certified librarians shall be employed after the effective date of this act, and defining the libraries to which this act shall be applicable; and amending Sections 1575.1 and 1575.2, Revised Codes of Montana of 1935, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 30: Introduced by Dillavou: A bill for an act entitled: "An act providing for instruction in health, physical education and recreation in the elementary and secondary schools of the state: providing for the preparation of courses of instruction therein and for the appointment of a supervisor of physical education." Referred to Committee on Education.

House Bill No. 31: Introduced by Allen: A bill for an act entitled: "An act to amend Section 5711 of the Revised Codes of Montana of 1935, relating to the obtaining of a license for marriage, and providing for application therefore, to define the duties of the Clerk of the District Court in relation thereto, and providing penalties for violation of said duties." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 32: Introduced by Nash and Toomey: A bill for an act entitled: "An act to amend Section 5384 of the Revised Codes of Montana of 1935 relating to supervisory powers of mayor and councilmen—

election and removal of officers—police judge.” Referred to Committee on Affairs of Cities.

House Joint Memorial No. 3: Introduced by Oliver: A Memorial entitled: “A memorial in relation to the construction of a water conservation project in the valley of the Little Missouri river for the irrigation of lands in the Little Missouri valley in Wyoming and Montana.” Referred to Committee on Irrigation and Water Rights.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Friedl in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 6, recommend that the same do pass.

FRIEDL, Chairman.

Report adopted.

House recessed subject to the call of the Chair.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. J. R. No. 2, by the Committee on Employment, was this day read three several times and concurred in, title and history agreed to, and the same is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following resolution correctly enrolled: House Joint Resolution No. 2.

COLE, Chairman.

Report adopted.

I have examined House Joint Resolution No. 2 introduced by me and find the same to be correct.

HELDING, Vice-Chairman.

Report adopted.

The Speaker signed House Joint Resolution No. 2 in Open Session.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Scott: A Memorial entitled: “A memorial to the Congress of the United States of America requesting the cancellation of all seed wheat

loan contracts now existing between certain farmers of the State of Montana and the United States of America."

By Hunter: A bill for an act entitled: "An act to amend Section 3115.5, Section 3115.10 and Section 3115.19 of the Revised Codes of Montana of 1935, being a part of Chapter 266 thereof known as "Montana dentistry regulation act", relating to the qualifications of persons licensed to practice dentistry, defining the practice of dentistry and prescribing penalties for the practice of dentistry or doing an act of dentistry without a certificate to practice and repealing all acts and parts of acts in conflict herewith."

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Judiciary.

House Bill No. 33: Introduced by Petersen, Tyler, McKenna, Anderson, Oliver, Cole: A bill for an act entitled: "An act relating to an emergency and to the granting of relief from mortgage foreclosures and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all acts and parts of acts in conflict herewith, but act not to be construed as repealing Chapter 124 of the Twenty-sixth Legislative Assembly of the State of Montana, or any part thereof."

The Speaker appointed the following committee:

Committee on Highways and Highway Transportation: Kirscher of Broadwater, Chairman; Williams of Yellowstone, Vice-Chairman; Parker of Wibaux, Anderson of Phillips, Dougherty of Powell, Allen of Park, Loughran of Silver Bow, Parker of Flathead, Welcome of Park, White of Silver Bow, Saylor of Petroleum, Aronson of Glacier, Lehrkind of Gallatin, Reed of Blaine, Hageman of Garfield.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Friday, January 17th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWELFTH DAY

House of Representatives,
Helena, Montana,
January 17, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Banka and Watson.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eleventh Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 6.

SAYLOR, Chairman.

Report adopted.

I have checked House Bill No. 6 and found it to be correct.

WILLIAMS,
Author of House Bill No. 6.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Nelson: A bill for an act entitled: "An act relating to slot machines and pin ball machines, defining the crime of possessing a slot machine or pin ball machine, prescribing penalties for the violation thereof and repealing all acts in conflict therewith."

By Committee on Education: A bill for an act entitled: "An act to amend paragraph 3 (a), of Section 8, Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, as amended by Section 2 of Chapter 202 of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to the "pension accumulation fund" and providing for an appropriation therefor; amending paragraph 5 (c), of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, as amended by Section 3, of Chapter 202, of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to the "expense fund" and providing for an appropriation therefor."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 32: A bill for an act entitled: "An act to amend Section 5384 of the Revised Codes of Montana of 1935 relating to supervisory powers of mayor and councilmen—election and removal of officers—police judges. Respectfully report as follows: That House Bill No. 32 do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 12. A bill for an act entitled: "An act to amend Section 5306 of the Revised Codes of Montana 1935, relating to the power of a council to discontinue streets or alleys, to provide that the county commissioners have the power to discontinue streets or alleys in unincorporated towns." Respectfully report as follows: That House Bill No. 12 do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 10:15 A. M.: House Joint Resolution No. 2.

COLE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried unanimously, that the House grant the Speaker the privilege of maintaining under House

Rule 9, two extra members on the Committee on Livestock and Public Ranges, one extra member on the Committee on Social Security and one extra member on the Committee on Education.

The Speaker appointed the extra members as follows:

Committee on Livestock and Public Ranges: Aronson of Glacier and Hageman of Garfield.

Committee on Social Security. Kemmis of Richland.

Committee on Education: Castles of Mineral.

It was moved by Holding, duly seconded and carried, that House Bill No. 25 be taken from the Committee on Public Morals, Charities and Reforms and referred to the Committee on Revenue and Taxation.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 34: Introduced by Holding: A bill for an act entitled: "An act prohibiting persons hunting in this state from shooting at moving brush or any object which has not been unmistakably identified as game; providing that the shooting of any person by a hunter shall be prima facie evidence of criminal negligence: and fixing penalties for violation." Referred to Committee on Fish and Game.

House Bill No. 35: Introduced by Toole: A bill for an act entitled: "An act to amend Section 6968 of the Revised Codes of Montana of 1935, as amended by Section 1 of Chapter 166 of the laws enacted by the Twenty-fifth Legislative Assembly of the State of Montana, relating to the selection of homesteads, the quantity of land to be included therein and the value thereof, and of the dwelling house and appurtenances, and the basis of such value." Referred to Committee on Judiciary.

House Bill No. 36: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to validate and legalize certain contracts for the purchase of unredeemed property from counties by its former owner in certain cases." Referred to Committee on Judiciary.

House Bill No. 37: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act relating to the floating indebtedness of counties outstanding at the close of business on the twenty-eighth day of February, 1941, and providing for the levying of special taxes or the issuance of funding bonds to pay such indebtedness when the same exceeds a certain amount." Referred to Committee on Revenue and Taxation.

House Bill No. 38: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to provide for credit on personal income tax for amounts paid as income tax on the same income to other states in certain cases." Referred to Committee on Revenue and Taxation.

House Bill No. 39: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2211 of the Revised Codes of Montana of 1935, relating to piecemeal redemption of real property sold for taxes." Referred to Committee on Revenue and Taxation.

House Bill No. 40: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 4465.4 of the Revised Codes of Montana of 1935 relating to the power to make, time of making and amount of levies for the support and maintenance of the indigent sick and otherwise dependent poor of the county." Referred to Committee on Revenue and Taxation.

House Bill No. 41: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to provide for the making of reports and statements with reference to net proceeds of mines by dissolved corporations or corporations which cease to do business, and the payment of the tax on such net proceeds." Referred to Committee on Revenue and Taxation.

House Bill No. 42: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2381.21 of the Revised Codes of Montana of 1935, relating to the reports of railways and carriers of gasoline or other motor fuel transported by them." Referred to Committee on Revenue and Taxation.

House Bill No. 43: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2295.10, relating to exemptions and change of status of taxpayer during the taxable year for personal income tax purposes." Referred to Committee on Revenue and Taxation.

House Bill No. 44: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Chapter 202 of the Laws of 1937 of the State of Montana, providing the method for computing certain deductions allowable on the net proceeds tax in the production of petroleum and natural gas in Montana." Referred to Committee on Revenue and Taxation.

House Bill No. 45: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to provide for the making of reports and statements with reference to the metals mines license tax by dissolved corporations or corporations which cease to do business and the payment of the metalliferous mines license tax." Referred to Committee on Revenue and Taxation.

House Joint Memorial No. 4: Introduced by Scott: A memorial entitled: "A memorial to the Congress of the United States of America requesting the cancellation of all seed wheat loan contracts now existing between certain farmers of Montana and the United States of America." Referred to Committee on Federal Relations.

THIRD READING

House Bill No. 6, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjerneby, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, Kirscher, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin (Madison), Martin (Fergus), Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker (Wibaux), Parker (Flathead), Parker (Cascade), Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Stromnes, Tenn, Toole, Toomey, Tyler, Vanek, Welcome, White, Wilson, Winters, Zuck. Total 91.

Absent and not voting: Banka, Blenkner, Burke, Holding, Horrigan, LaBonte, Lippard, Murray, Simpson, Watson, Williams. Total 11.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, January 20th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTEENTH DAY

House of Representatives,
Helena, Montana,
January 20, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Friedl and Watson.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twelfth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES.

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Anderson and Scott: A bill for an act: "An act to amend Section 2208.4 of the Revised Codes of Montana 1935, relating to the quieting of title to lands aquired by the county for taxes, making it mandatory for the county attorney to quiet title to said lands acquired by the county for taxes."

By Toomey by request: A bill for an act entitled: "An act to amend Section 9246 of the Revised Codes of Montana, 1935, with relation to the duty of the court to require security upon granting injunctions or restraining orders."

By Toomey: A bill for an act entitled: "An act to prevent the manufacture, shipment and sale of adulterated or misbranded food, drugs, devices and cosmetics within the state of Montana and subject to its jurisdiction and to regulate intrastate traffic therein; and to prevent the false advertisement of food, drugs, devices, and cosmetics: Providing for the licensing of certain food handling establishments: prescribing the power of the State Board of Health and of the secretary thereof in connection therewith and empowering said board and the secretary thereof to promulgate rules and regulations within the terms of this act and providing for judicial review of administrative acts prescribing penalties, and for the repeal of Sections 2436, 2578, 2579, 2586, 2587, 2588, 2589, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, Revised Codes of Montana, 1935, as amended or supplemented.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill Nos. 12 and 32 and House Joint Memorials Nos. 1 and 2, beg leave to report that the same were on January 19 returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Joint Resolution No. 2; "a joint resolution declaring an emergency to exist

and providing for the compensation and employment of an additional assistant law clerk during the Twenty-seventh Legislative Assembly of the State of Montana, pursuant to the authority granted by Section 77 of Revised Codes of Montana of 1935.”

SAM C. FORD,
Governor.

Mr. E. J. Stromnes, Speaker
House of Representatives,
Capitol Building.

Dear Sir: As directed in House Memorial No. 2, I have this day forwarded certified copy of this memorial to the President of the United States, Council of National Defense, both Houses of the National Congress, Secretary of War, Secretary of Navy, Chief of Army Engineers, and each of the Senators and Representatives in Congress from the State of Montana.

Very truly yours,

SAM W. MITCHELL,
Secretary of State.

Mr. E. J. Stromnes, Speaker
House of Representatives,
Capitol Building.

As directed in House Memorial No. 1, I have this day forwarded certified copy of this memorial to the President of the United States, both Houses of the National Congress, Secretary of War, Secretary of Navy, Secretary of Interior, Commissioner of Reclamation, Chief of Army Engineers, and each of the Senators and Representatives in Congress from the State of Montana.

Very truly yours,

SAM W. MITCHELL,
Secretary of State.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length.

House Bill No. 46: Introduced by Committee on Education: A bill for an act entitled: “An act to amend paragraph 3 (a), of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, as amended by Section 2 of Chapter 202 of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to the “pension accumulation fund” and providing for an appropriation therefor: amending paragraph 5 (c), of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, as amended by Section 3, of Chapter 202, of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to the “expense fund” and providing for an appropriation therefor.” Referred to Committee on Appropriations.

House Bill No. 47: Introduced by Hunter: A bill for an act entitled: “An act to amend Section 3115.5, Section 3115.10 and Section 3115.19 of the Revised Codes of Montana of 1935, being a part of Chapter 266 thereof known as “Montana dentistry regulation act”, relating to the qualifications of persons licensed to practice dentistry, defining the practice of dentistry and prescribing penalties for the practice of dentistry or doing an act of dentistry without a certificate to practice and repealing all acts and parts of acts in conflict herewith.” Referred to Committee on Public Health and Sanitary Affairs.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House pass consideration of General Orders until after recess.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Speaker announced the appointment of two additional members on the Committee on Military Affairs to bring the number to the required fifteen, as follows: Eggenberger of Wheatland and Blenkner of Stillwater.

The Speaker appointed the following committees:

Committee on Agriculture: Phelan of Yellowstone, Chairman; Rasmussen of Blaine, Vice-Chairman; McKenna of Judith Basin, Kemmis of Richland, Laubach of Teton, Hess of Hill, Roehl of Fergus, Reed of Blaine, Beck of McCone, Parker of Flathead, Harken of Rosebud, Anderson of Phillips, Wilson of Carbon, Gunderson of Cascade, Zuck of Roosevelt.

Committee on Entertainment: Lippard of Chouteau, Chairman; Curran of Silver Bow, Vice-Chairman; Watson of Missoula.

Committee on State Boards and Offices: Cannon of Silver Bow, Chairman; Parker of Wibaux, Vice-Chairman; Antrim of Ravalli, Miller of Treasure, Newell of Carbon, Roehl of Fergus, Loughran of Silver Bow, Toomey of Lewis and Clark, Murray of Deer Lodge, Oliver of Carter, Castles of Mineral, Lowe of Dawson, Petersen of Sheridan, Lehrkind of Gallatin, Vanek of Fergus.

Committee on Corporations Other Than Municipal: Cole of Prairie, Chairman; Phelan of Yellowstone, Vice-Chairman; Davey of Roosevelt, Parker of Wibaux, Toole of Cascade, Antrim of Ravalli, Loughran of Silver Bow, Lehrkind of Gallatin, O'Connor of Carbon, Eggenberger of Wheatland, Hazelbaker of Missoula, Hageman of Garfield, Esp of Sweet Grass, Hunter of Lewis and Clark, Lowe of Dawson.

Committee on Aviation: Burke of Gallatin, Chairman; O'Connor of Carbon; Vice-Chairman; Hazelbaker of Missoula, Freshman of Silver Bow, Anson of Beaverhead, McGreevey of Deer Lodge, Dillavou of Yellowstone, Hess of Hill, Stevens of Cascade, Martin of Fergus, Bjorneby of Flathead, Flook of Fergus, Green of Dawson, Hunter of Lewis and Clark, Davey of Roosevelt.

Committee on Privileges and Elections: Bjorneby of Flathead, Chairman; McKenna of Judith Basin, Vice-Chairman; Parker of Flathead, Wilson of Carbon, Nelson of Golden Valley, Oliver of Carter, Kemmis of Richland, James of Liberty, Lynch of Chouteau, McMichael of Sanders, Murray of Deer Lodge, Petersen of Sheridan, Roehl of Fergus, Spiegel of Silver Bow, White of Silver Bow.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Tonn and Saylor: A bill for an act entitled: "An act to amend Section 4916 of the Revised Codes of Montana, 1935, as amended by Chapter 139 of the Laws of 1937, relating to the fees of sheriffs."

By Williams: A bill for an act entitled: "An act relating to the appointment of judges of election and providing that one of the judges

appointed for each precinct shall be designated as chairman and prescribing his powers and duties."

By Busch and Oliver: A bill for an act entitled: "An act to permit real property to be redeemed from tax sale and from tax deeds issued subsequent to February 7, 1939 by paying original tax, providing such original taxes be paid within the time expressed in this act; relating to the time of taking tax deeds and staying the operation of all laws in conflict herewith."

By Toomey: A bill for an act entitled: "An act to amend Section 624 of the Revised Codes of Montana of 1935, relating to qualifications of voters at any caucus, convention, etc.; and to repeal Section 618.1, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, and each thereof, of the Revised Codes of Montana of 1935; and Section 654 of the Revised Codes of Montana of 1935, as amended by Chapter 84, Laws of 1939; all of said Sections 631-670, and said amended Sections, inclusive, relating to primary elections and the primary election system, and to repeal all acts and parts of acts in conflict herewith."

By Harrison by request: A bill for an act entitled: "An act to amend Section 9344 of the Revised Codes of Montana of 1935, relating to trial jury challenges for cause."

By Hess: A bill for an act entitled: "An act amending paragraph (a), of Section 2, of Chapter 126, of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to "undertakings" authorized under this act, amending Section 4, of Chapter 126, of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to 'authorization of undertaking, form and contents of bonds'."

By Banka by request: A bill for an act entitled: "An act assenting to the provisions of the act of Congress entitled: 'An act to provide that the United States shall aid the states in wildlife-restoration projects, and for other purposes', approved September 2, 1937; vesting certain authority in the Montana Fish and Game Commission in connection therewith and providing for disposition of funds realized thereunder."

By Murray and McGreevey: A bill for an act entitled: "An act relating to salary and other small installment loans, providing for supervision thereof by the State Banking department, fixing maximum rate of interest thereon, providing for penalties for violation of the provisions of this act, and repealing all acts and parts of acts in conflict herewith."

By Friedl, Davey, Eggenberger, Phelan, Kirscher: A bill for an act entitled: "An act amending Chapter 163, Session Laws 1939, relating to licenses for the operation, maintenance, opening or establishment of stores in this state, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith; and prescribing penalties for the violation thereof, and repealing all acts and parts of acts inconsistent therewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration a motion by Byrne to amend Joint Rule No. 11 of the Joint Rules of the Senate and House of Representatives, respectfully report as follows: That Joint Rule No. 11 be amended by inserting in line No. 8 of said rule, immediately following the word "inaccuracies" in lieu of the semi-colon, a comma, and the following

words: "provided, however, that the date of final enrollment may be written on the bill with pen and ink;" and as so amended that the motion do pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 do not pass.

WELCOME, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Rice, duly seconded and carried, that House Joint Memorial No. 2 be taken from General Orders and referred to the Committee on Federal Relations.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Joint Memorial No. 1, recommend as follows:

That House Joint Memorial No. 1 be amended as follows: Amend by striking out in line 1 of the title the words "A bill for an act entitled" and by striking out the words "be it enacted by the Legislative Assembly of the State of Montana" and inserting in lieu thereof the words "To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled:" and as amended, do pass.

O'CONNOR, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, January 21st, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

SIXTEENTH DAY

House of Representatives,
Helena, Montana,
January 21, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Antrim, Friedl, Kirscher, Roehl, Watson.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifteenth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

The Speaker appointed the following committee:

Committee on Irrigation and Water Rights: Parker of Cascade, Chairman; Harken of Rosebud, Vice-Chairman; Nelson of Golden Valley, Phelan of Yellowstone, Martin of Madison, Lowe of Dawson, Carlson of Jefferson, Kirscher of Broadwater, Miller of Treasure, Rice of Big Horn, Horrigan of Granite, Wilson of Carbon, Vanek of Fergus, Kemmis of Richland, Friedl of Valley.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Williams, Gebhardt, Hammond, Phelan, Dillavou: A bill for an act entitled: "An act to repeal Section 11254 of the Revised Codes of Montana, 1935, relating to placing passenger-cars in front of freight cars."

By Toomey and Harken: A bill for an act entitled: "An act to amend Section 9394 of the Revised Codes of Montana, 1935, by making a part of the bill of exceptions the opinion of the trial court, if one be made in writing, relating to any of the matters contained in the judgment roll and bill of exceptions."

By Rice and Morrow: A bill for an act entitled: "An act prohibiting retail vendors of liquor or wines from employing any person under the age of twenty-one (21) years as a bartender, waiter or waitress whose duty it would be to serve customers purchasing liquors or wines."

By Murray, Cannon, Clifford, Mernin: A bill for an act entitled: "An act amending Section 2816 Revised Codes of Montana 1935, and adding a new part to Chapter 256, Volume II, of the Political Code, R. C. M. 1935, to be designated as Part VI, containing Sections 3033.1 to 3033.9, inclusive, relating to compensation for the occupational disease of silicosis."

By Toomey, Aronson, Gebhardt, Potter, Byrne, Phelan, Harken, Nash: A bill for an act entitled: "An act to amend three (3) sections of the Revised Codes of Montana of 1935, as amended, all relating to the regulation of the practice of cosmetology and hair-dressing, being Section 3228.1 Revised Codes of Montana, 1935, as amended by Chapter 222 of the Session Laws of the Twenty-sixth Legislative Assembly, 1939, relating to the license required to practice or teach cosmetology by providing also for a manager-operator license, defining its scope and conditions; and Section 3228.6 Revised Codes of Montana, 1935, relating to the rules to be prescribed by the Montana State Examining Board of Beauty Culturists, by providing that such board may establish rules as herein set forth, and in addition to such rules, minimum prices in territorial districts and providing the conditions therefor; and Section 3228.15 Revised Codes of Montana, 1935, as amended by Chapter 222 of the Session Laws of the Twenty-sixth Legislative Assembly, 1939, relating to the fees for applicants for examination and licenses by amending the fees and providing that no other or additional fees shall be imposed by municipal corporations or other political sub-divisions of the State of Montana."

By Gebhardt, Lippard, Aronson, Rice, Morrow, Phelan, Harken, Ahern, Burke, Scofield: A bill for an act entitled: "An act to amend Section 1741.12 of the Revised Codes of Montana, 1935, relating to the Highway Patrol revolving fund by creating a Montana Highway Patrolmen's pension fund, and to amend Section 1741.5 of the Revised Codes of Montana, 1935, as amended by Chapter 182 of the Session Laws, Twenty-fifth Legislative Assembly of Montana, 1937, relating to assistant supervisors and patrolmen—qualifications of patrolmen; and providing for service pensions, disability pensions and widows or orphans pensions to be paid members or survivors of members of the Montana Highway Patrol of the State of Montana: and repealing all acts and parts of acts in conflict herewith."

By Murray, McGreevey, Clifford: A bill for an act entitled: "An act appropriating money derived from the sale of State Insane Hospital bonds of the State of Montana under the provisions of referendum measure 43, which was submitted to the vote of the electors of the State of Montana in the last general election, and which provides that such funds should be used for the construction, repairing and equipping of necessary buildings, other permanent improvements and acquisition of necessary grounds therefor, at the Montana State Hospital for the Insane located at Warm Springs, Montana, and for the issue and sale of such bonds by the State Board of Examiners are deemed to be necessary for the erection, repairing and equipping of necessary buildings, other permanent improvements and the acquisition of necessary grounds therefor at the State Hospital for the Insane. The funds derived from the sale of such bonds are to be expended only for the purpose herein set forth."

By Cannon and Toole: A bill for an act entitled: "An act creating and establishing a legislative council of the legislature for the State of Montana providing for membership and party representation of the council; providing for its duties and granting to the council authority to make investigations and carry on any research deemed necessary, subpoena witnesses and pay fees and mileage to witnesses; providing for meetings and receiving messages from the Governor of the state, making it the duty of state and local officials to make studies and reports for the council when so requested; authorizing the employment of a secretary and additional assistants in the preparation of a program of legislation regarding any matters of state-wide public importance within the jurisdiction of the legislative branch of the state government; providing for the keeping of minutes of the meetings of the council and the right of members of the legislature and citizens of the state and nation to attend sessions of the council and present their views; providing for recommendations of the council to be made to the duly elected members of the legislature; and providing for the compensation of the members of the council for the time spent in attendance at sessions of the council and for the payment of the expenses incurred by the council."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Joint Memorial No. 1.

SAYLOR, Chairman.

Report adopted.

I have examined House Joint Memorial No. 1, introduced by me and find the same to be correct.

MARTIN of Fergus.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 be amended as follows: after "in Section 4465.9." change 4465.9 to read "4465.9, but at the rate of 4% on deferred payments." And by further amending the bill by entirely striking out in Section 3 and as amended do pass.

TYLER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Cannon, duly seconded and carried, that the House reconsider its action on the report of the Committee on Fish and Game on House Bill No. 34.

It was moved by Cannon, duly seconded and carried, that House Bill No. 34 be referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 48: Introduced by Murray and McGreevey: A bill for an act entitled: "An act relating to salary and other small installment loans, providing for supervision thereof by the State Banking department, fixing maximum rate of interest thereon, providing for penalties for violation of the provisions of this act, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 49: Introduced by Williams: A bill for an act entitled: "An act relating to the appointment of judges of election and providing that one of the judges appointed for each precinct shall be designated as chairman and prescribing his powers and duties." Referred to Committee on Privileges and Elections.

House Bill No. 50: Introduced by Toomey: A bill for an act entitled: "An act to prevent the manufacture, shipment and sale of adulterated or misbranded food, drugs, devices and cosmetics within the State of Montana and subject to its jurisdiction and to regulate intrastate traffic therein; and to prevent the false advertisement of food, drugs, devices, and cosmetics; providing for the licensing of certain food handling establishments; prescribing the power of the State Board of Health and of the secretary thereof in connection therewith and empowering said board and the secretary thereof to promulgate rules and regulations within the terms of this act and providing for judicial review of administrative acts, prescribing penalties, and for the repeal of Sections 2436, 2578, 2579, 2586, 2587, 2588, 2589, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, Revised Codes of Montana, 1935, as amended or supplemented." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 51: Introduced by Hess: A bill for an act entitled: "An act amending paragraph (a), of Section 2, of Chapter 126, of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to "undertakings" authorized under this act, amending Section 4, of Chapter 126, of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to "authorization of undertaking, form and contents of bonds." Referred to Committee on Affairs of Cities.

House Bill No. 52: Introduced by Toomey: A bill for an act entitled: "An act to amend Section 624 of the Revised Codes of Montana of 1935, relating to qualifications of voters at any caucus, convention, etc.: and to repeal Sections 618.1, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 667, 668, 669, 670, and each thereof, of the Revised Codes of Montana of 1935; and Section 654 of the Revised Codes of Montana of 1935, as amended by Chapter 181, Laws of 1937; all of said Sections 631-670, aforesaid, and said amended sections, inclusive, relating to primary elections and the primary election system, and to repeal all acts and parts of acts in conflict herewith." Referred to Committee on Privileges and Elections.

House Bill No. 53: Introduced by Toomey by request: A bill for an act entitled: "An act to amend Section 9246 of the Revised Codes of Montana, 1935, with relation to the duty of the court to require security upon granting injunctions or restraining orders." Referred to Committee on Judiciary.

House Bill No. 54: Introduced by Anderson: A bill for an act entitled: "An act to amend Section 2208.4 of the Revised Codes of Mon-

tana, 1935, relating to the quieting of title to lands acquired by the county for taxes, making it mandatory for the county attorney to quiet title to said lands acquired by the county for taxes." Referred to Committee on Townships and Counties.

House Bill No. 55: Introduced by Banka by request: A bill for an act entitled: "An act assenting to the provisions of the act of Congress entitled: 'An act to provide that the United States shall aid the states in wildlife restoration projects, and for other purposes', approved September 2, 1937; vesting certain authority in the Montana Fish and Game Commission in connection therewith and providing for disposition of funds realized thereunder." Referred to Committee on Fish and Game.

House Bill No. 56: Introduced by Oliver, Busch and Zuck: A bill for an act entitled: "An act to permit real property to be redeemed from tax sale and from tax deeds issued subsequent to February 7th, 1939, by paying the original tax, providing such original taxes be paid within the time expressed in this act; relating to the time of taking tax deeds and staying the operation of all laws in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 57: Introduced by Harrison by request: A bill for an act entitled: "An act to amend Section 9344 of the Revised Codes of Montana of 1935, relating to trial jury challenges for cause." Referred to Committee on Judiciary.

THIRD READING

House Joint Memorial No. 1, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin (Madison), Martin (Fergus), Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker (Wibaux), Parker (Flathead), Parker (Cascade), Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Spiegel, Stevens, Stromnes, Toole, Tyler, Vanek, Welcome, White, Williams, Wilson, Zuck. Total 93.

Noes: Toomey and Winters. Total 2.

Absent and not voting: Friedl, Lippard, Roehl, Simpson, Tonn, Watson, Antrim. Total 7.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Armstrong in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend: That House Bill No. 12 be amended as follows: Strike out all of Section 3, and as amended, do pass. That House Bill No. 32 be amended as follows: Strike out all of Section 3, and as amended, do pass.

ARMSTRONG, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday, January 22nd, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

SEVENTEENTH DAY

House of Representatives,
Helena, Montana,
January 22, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Antrim, Friedl, Watson.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Sixteenth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

The Speaker appointed the following committees:

Committee on Conservation of Resources: Tonn of Custer, Chairman; Dahlquist of Valley, Vice-Chairman; McDaniel of Lake, Laubach of Teton, Phelan of Yellowstone, Kirscher of Broadwater, Blenkner of Stillwater, Forbregd of Daniels, Scofield of Powder River, Byrne of Toole, Anson of Beaverhead, Lowe of Dawson, Antrim of Ravalli, Cole of Prairie, Hess of Hill.

Committee on New Counties and Divisions: Vanek of Fergus, Chairman; Zuck of Roosevelt, Vice-Chairman; Beck of McCone, Anderson of Phillips, Spiegel of Silver Bow, Carlson of Jefferson, Cole of Prairie, Clifford of Deer Lodge, White of Silver Bow, Williams of Yellowstone, Winters of Ravalli, Cannon of Silver Bow, Davey of Roosevelt, Fewkes of Lincoln, Esp of Sweet Grass.

Committee on Dairying: McKenna of Judith Basin, Chairman; Antrim of Ravalli, Vice-Chairman; Flook of Fergus, Hess of Hill, Parker of Flathead, Stevens of Cascade, McDaniel of Lake, Morrow of Gallatin, Martin of Madison, Eggenberger of Wheatland, Freshman of Silver Bow, Phelan of Yellowstone, Kemmis of Richland, Kirscher of Broadwater, Martin of Fergus.

Committee on Economy: Petersen of Sheridan, Chairman; Green of Dawson, Vice-Chairman; Scofield of Powder River, Bjerneby of Flathead, Cannon of Silver Bow, Castles of Mineral, Goodwin of Silver Bow, Fewkes of Lincoln, LaBonte of Flathead, Mernin of Silver Bow, O'Connor of Carbon, Reed of Blaine, Saylor of Petroleum, Miller of Treasure, James of Liberty.

Committee on Water Conservation and Flood Control: Ahern of Hill, Chairman; Scofield of Powder River, Vice-Chairman; Nelson of Golden Valley, Saylor of Petroleum, Harrison of Lewis and Clark, Petersen of Sheridan, Winters of Ravalli, Martin of Madison, Parker of Wibaux, Tonn of Custer, Busch of Fallon, Freshman of Silver Bow, Hammond of Yellowstone, Kirscher of Broadwater, Hunter of Lewis and Clark.

Committee on Fairs and Expositions: Rasmussen of Blaine, Chairman; McGreevey of Deer Lodge, Vice-Chairman; Cummings of Cascade, Hammond of Yellowstone, Harrison of Lewis and Clark, Watson of Missoula, Mernin of Silver Bow, Murray of Deer Lodge, Burke of Gallatin, Busch of Fallon, Roehl of Fergus, Anderson of Phillips, Spiegel of Silver Bow, Oliver of Carter, McMichael of Sanders.

Committee on Equal Suffrage: Holding of Missoula, Chairman; Mernin of Silver Bow, Vice-Chairman; Miller of Treasure, Martin of Fergus, Forbregd of Daniels, Curran of Silver Bow, Castles of Mineral, Bjerneby of Flathead, Banka of Pondera, Allen of Park, Wilson of Carbon, Davey of Roosevelt, Eggenberger of Wheatland, McGreevey of Deer Lodge, Reed of Blaine.

Committee on Development and Publicity: Beazley of Musselshell, Chairman; Tyler of Sheridan, Vice-Chairman; Ballard of Silver Bow, Dougherty of Powell, Fewkes of Lincoln, Flock of Fergus, Hazelbaker of Missoula, Hunter of Lewis and Clark, McMichael of Sanders, Mernin of Silver Bow, Nash of Missoula, O'Connor of Carbon, Simpson of Custer, White of Silver Bow, Martin of Fergus.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Judiciary: A House Joint Resolution entitled: "A joint resolution designating the third week in May as citizenship week in the State of Montana."

By Harken by request: A bill for an act entitled: "An act to amend Section 177 of the Revised Codes of Montana, 1935, relating to the allotment of forest reserve funds apportioned to the counties."

By Curran, Goodwin, Loughran, Ballard, Mernin, Clifford, McGreevey, Spiegel, Cannon, Freshman, O'Brien, White, Murray: A bill for an act entitled: "An act to amend the public welfare act of Montana, being Chapter 82 of the Laws of 1937, by amending Section II of Part VI thereof, relative to the services for crippled children and child welfare services, and providing a definition of services for crippled children."

By Morrow: A bill for an act entitled: "An act to amend Section 10,149 of the Revised Codes of Montana of 1935, relating to the summary administration and setting over to the widow and/or minor child or children of estates of intestates of less than fifteen hundred dollars, and also estates less than three thousand dollars."

By Morrow: A bill for an act entitled: "An act to amend Section 9111 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 175 of the Twenty-fifth Legislative Assembly, 1937, and as amended by Chapter 186 of the Twenty-sixth Legislative Assembly, 1939, relating to summons—how served; and providing for the method of service of a summons in cases where a corporation, partnership, association, trustee, or individual is a non-resident."

By Committee on Judiciary: A bill for an act entitled: "An act amending Section 8815 of the Revised Codes of Montana for 1935, regarding payment of salaries of justices of the supreme court and district judges, and expediting litigation in district courts."

By Committee on Federal Relations: A bill for an act entitled: "An act to amend Section 7 of Chapter 85 of the Laws of the Twenty-fifth Legislative Assembly, 1937, as amended by Chapter 209 of the Laws of the Twenty-sixth Legislative Assembly and continuing in force the provisions of said Chapter 209 of the Twenty-sixth Legislative Assembly, 1939."

By Freshman: A bill for an act entitled: "An act to amend Section 4139.1, Revised Codes of Montana, 1935, relating to abstracters and the business of abstracting."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 12 and 32.

SAYLOR, Chairman.

Report adopted.

I have examined House Bill No. 32 introduced by me and find the same to be correct.

TOOMEY.

I have examined House Bill No. 12 introduced by me and find the same to be correct.

HAGEMAN.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Joint Resolution No. 1, respectfully report as follows: That House Joint Resolution No. 1 do pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 be referred to the Committee on Highways and Highway Transportation.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 be amended by striking therefrom the whole of Section 3 thereof, and that as amended the same do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 19, respectfully report as follows: That House Bill No. 19 do pass.

CLIFFORD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 10, respectfully report as follows: That House Bill No. 10 do pass.

LEHRKIND, Vice-Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 58: Introduced by Toomey and Harkin: A bill for an act entitled: "An act to amend Section 9394 of the Revised Codes of

Montana, 1935, by making a part of the bill of exceptions the opinion of the trial court, if one be made in writing, relating to any of the matters contained in the judgment roll and bill of exceptions." Referred to Committee on Judiciary.

House Bill No. 59: Introduced by Rice and Morrow: A bill for an act entitled: "An act prohibiting retail vendors of liquor or wines from employing any person under the age of twenty-one (21) years as a bartender, waiter or waitress whose duty it would be to service customers purchasing liquors or wines." Referred to Committee on Labor.

House Bill No. 60: Introduced by Cannon and Toole: A bill for an act entitled: "An act creating and establishing a legislative council of the legislature for the State of Montana providing for membership and party representation on the council; providing for its duties and granting to the council authority to make investigation and carry on any research deemed necessary, subpoena witnesses and pay fees and mileage to witnesses; providing for meetings and receiving messages from the Governor of the state, making it the duty of state and local officials to make studies and reports for the council when so requested; authorizing the employment of a secretary and additional assistants in the preparation of a program of legislation regarding any matters of state-wide public importance within the jurisdiction of the legislative branch of the state government; providing for the keeping of minutes of the meetings of the council and the right of members of the legislature and citizens of the state and nation to attend sessions of the council and present their views; providing for recommendations of the council to be made to the duly elected members of the legislature; and providing for the compensation of the members of the council for the time spent in attendance at sessions of the council and for the payment of the expenses incurred by the council." Referred to Committee on State Boards and Offices.

House Bill No. 61: Introduced by Toomey, Phelan, Nash, Harken, Potter, Aronson, Gebhardt, Byrne: A bill for an act entitled: "An act to amend three (3) sections of the Revised Codes of Montana of 1935, as amended, all relating to the regulation of the practice of cosmetology and hairdressing, being Section 3228.1 Revised Codes of Montana, 1935, as amended by Chapter 222 of the Session Laws of the Twenty-sixth Legislative Assembly, 1939, relating to the license required to practice or teach cosmetology by providing also for a manager-operator license, defining its scope and conditions; and Section 3228.6 Revised Codes of Montana, 1935, relating to the rules to be prescribed by the Montana State Examining Board of Beauty Culturists, by providing that such board may establish rules as herein set forth, and in addition to such rules, minimum prices in territorial districts and providing the conditions therefor; and Section 3228.15 Revised Codes of Montana, 1935, as amended by Chapter 222 of the Session Laws of the Twenty-sixth Legislative Assembly, 1939, relating to the fees for applicants for examination and licenses by amending the fees and by providing that no other or additional fees shall be imposed by municipal corporations or other political subdivisions of the State of Montana." Referred to Committee on Public Health and Sanitary Affairs.

THIRD READING

House Bill No. 12, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin (Madi-

son), Martin (Fergus), Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker (Wibaux), Parker (Flathead), Parker (Cascade), Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Stromnes, Tonn, Toole, Toomey, Tyler, Vanek, Welcome, White, Williams, Wilson, Winters, Zuck. Total 93.

Absent and not voting: Antrim, Bjorneby, Cummings, Eggenberger, Friedl, Hazelbaker, Kirscher, O'Brien, Watson. Total 9.

House Bill No. 32, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busche, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin (Madison), Martin (Fergus), Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker (Wibaux), Parker (Flathead), Parker (Cascade), Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Stromnes, Tonn, Toole, Toomey, Tyler, Vanek, Welcome, White, Williams, Wilson, Winters, Zuck. Total 97.

Absent and not voting: Antrim, Friedl, Hazelbaker, O'Brien, Watson. Total 5.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday, January 23, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

EIGHTEENTH DAY

House of Representatives,
Helena, Montana,
January 23, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Antrim and Watson.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Seventeenth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Morrow: A bill for an act entitled: "An act relating to actions for personal injuries, wrongful death and injury of property, abolishing the common law defense of contributory negligence and substituting therefor the rule of comparative negligence."

By Blenkner: A bill for an act entitled: "An act to amend Sections 4309 and 4350 of the Revised Codes of Montana 1935 defining the boundaries of Carbon and Stillwater counties and changing a portion of the boundary line between the counties of Stillwater and Carbon; taking from said county of Carbon certain territory and adding the same to the said county of Stillwater; providing for the appointment of commissioners to adjust indebtedness; providing for the transfer of school funds; providing for the transcribing and transfer of records and the transfer of actions pending in court; and providing that township, school and other officers within the territory so transferred shall hold their offices for the balance of their terms."

By Murray, Spiegel, Clifford: A bill for an act entitled: "An act to prohibit employer or organization to interfere with the rights of employees to organize into labor organizations; providing penalties therefor; repealing acts and parts of acts in conflict herewith."

By Armstrong, Anson, Reed, Blenkner, Newell, Morrow, Lehrkind, Byrne: A bill for an act entitled: "An act to appropriate money for the public schools of the State of Montana for the period beginning July 1, 1941 and ending June 30, 1943."

By Williams and Dillavou: A bill for an act entitled: "An act providing for licensing of motor vehicles in transit; regulating the manner of towing and the speed of such vehicles; requiring liability insurance and providing for disposal of funds; providing penalties for violation and repealing all acts and parts of acts in conflict herewith."

By Dillavou, Gebhardt, Hammond, Williams, Phelan, Gunderson, Cummings, Stevens, Toole, Parker, Curran, White: A bill for an act entitled: "An act to amend Chapter 176 of the Laws of the Twenty-sixth Legislative Assembly relating to compensation and mileage of County Commissioners."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill Nos. 16 and 10, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 2, respectfully report as follows: That House Joint Memorial No. 2 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 4, respectfully report as follows: That House Joint Memorial No. 4 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 49, respectfully report as follows:

That House Bill No. 49 be amended as follows: That Section 3 of said bill be struck out and as amended do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 33, respectfully report as follows: That House Bill No. 33 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 36, respectfully report as follows: That House Bill No. 36 be amended by striking out the word "repurchase" and insert in lieu thereof the word "purchase" in the second line of the title; and also be amended by striking out all of Section 1 of said bill and inserting in lieu thereof the following: "Section 1. That all installment contracts for the purchase of tax title lands heretofore entered into between any county and the former owner of such lands to which the county has taken tax deed, which contracts provide that deferred installments shall bear interest at the rate of four per cent instead of six per cent, as provided by Section 4465.9 Revised Codes of Montana 1935, are hereby validated and legalized and no such contract shall be held invalid by reason of the provisions thereof relating to interest." And that as amended, House Bill No. 36 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 47, respectfully report as follows: That House Bill No. 47 be amended as follows: By striking out Section 5, and as amended do pass.

LYNCH, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read three several times and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence: S. J. M. No. 1, by Burke, S. J. M. No. 2, by Drumheller, S. J. M. No. 3, by Mahoney, Plank and Alvord.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that on Third Reading, all bills hereafter be read by title, history and section number only, except in the reading of appropriation measures, and that the foregoing motion go into effect tomorrow.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 3: Introduced by Committee on Judiciary: A resolution entitled: "A joint resolution designating the third week in May as citizenship week in the State of Montana." Referred to Committee on Judiciary.

House Bill No. 62: Introduced by Freshman: A bill for an act entitled: "An act to amend Section 4139.1, Revised Codes of Montana, 1935, relating to abstracters and the business of abstracting." Referred to Committee on Judiciary.

House Bill No. 63: Introduced by Spiegel, Mernin, Freshman, Cannon, Ballard, Curran, Loughran, Goodwin, O'Brien, Clifford, Murray, McGreevey, White: A bill for an act entitled: "An act to amend the public welfare act of Montana, being Chapter 82 of the Laws of 1937, by amending Section II of Part VI thereof, relative to the services for crippled children and child welfare services, and providing a definition of services for crippled children." Referred to Committee on Social Security.

House Bill No. 64: Introduced by Gebhardt, Lippard, Aronson, Rice, Morrow, Phelan, Harken, Ahern, Burke: A bill for an act entitled: "An act to amend Section 1741.12 of the Revised Codes of Montana, 1935, relating to the Highway Patrol revolving fund by creating a Montana Highway Patrolmen's pension fund, and to amend Section 1741.5 of the Revised Codes of Montana, 1935, as amended by Chapter 182 of the Session Laws, Twenty-fifth Legislative Assembly of Montana, 1937, relating to assistant supervisors and patrolmen—qualifications of patrolmen; and providing for service pensions, disability pensions and widows or orphans pensions to be paid members or survivors of members of the Montana Highway Patrol of the State of Montana; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Economy.

House Bill No. 65: Introduced by Spiegel and Murray: A bill for an act entitled: "An act relating to the employment of assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers and executive attaches of all civil executive state officers, boards, commissions, bureaus and departments of the State of Montana; authorizing the State Board of Examiners to fix the number, compensation, term and tenure of office of all such employees and repealing Chapter 5 of the acts of the Twenty-fifth Legislative Assembly of Montana of 1937 and all other acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Offices.

House Bill No. 66: Introduced by Morrow: A bill for an act entitled: "An act to amend Section 10,149 of the Revised Codes of Montana, of 1935, relating to the summary administration and setting over to the widow and/or minor child or children of estates of intestates of less than fifteen hundred dollars and also estates less than three thousand dollars. Referred to Committee on Judiciary.

House Bill No. 67: Introduced by Harken by request: A bill for an act entitled: "An act to amend Section 177 of the Revised Codes of Montana, 1935, relating to the allotment of forest reserve funds apportioned to the counties." Referred to Committee on Development and Publicity.

House Bill No. 68: Introduced by Morrow: A bill for an act entitled: "An act to amend Section 9111 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 175 of the Twenty-fifth Legislative Assembly, 1937, and as amended by Chapter 186 of the Twenty-sixth Legislative Assembly, 1939, relating to summons—how served; and providing for the method of service of a summons in cases where a corporation, partnership, association, trustee, or individual is a non-resident." Referred to Committee on Judiciary.

House Bill No. 69: Introduced by Committee on Federal Relations: A bill for an act entitled: "An act to amend Section 7 of Chapter 85 of the Laws of the Twenty-fifth Legislative Assembly, 1937, as amended by Chapter 209 of the Laws of the Twenty-sixth Legislative Assembly and continuing in force and provisions of said Chapter 209 of the Twenty-sixth Legislative Assembly, 1939." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 70: Introduced by Committee on Judiciary: A bill for an act entitled: "An act amending Section 8815 of the Revised Codes of Montana for 1935, regarding payment of salaries of justices of the supreme court and district judges, and expediting litigation in district courts." Referred to Committee on State Boards and Offices.

House Bill No. 71: Introduced by Mernin: A bill for an act entitled: "An act to amend Section 2952 of the Revised Codes of Montana of 1935, as amended by Chapter 67, of the Session Laws of 1937 relating to workmen's compensation: and to repeal all acts and parts of acts in conflict herewith." Referred to Committee on Workmen's Compensation.

House Bill No. 72: Introduced by Mernin: A bill for an act entitled: "An act to amend Section 2917 of the Revised Codes of Montana of 1935 of the workmen's compensation law relating to medical and hospital services and such other treatment as approved by the board." Referred to Committee on Workmen's Compensation.

House Bill No. 73: Introduced by Phelan, Friedl, Eggenberger, Davey, Kirscher: A bill for an act entitled: "An act amending Chapter 163, Session Laws 1939, relating to licenses for the operation, maintenance, opening or establishment of stores in this state, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith: and prescribing penalties for the violation thereof, and repealing all acts and parts of acts inconsistent therewith." Referred to Committee on Revenue and Taxation.

House Bill No. 74: Introduced by Murray, Cannon, Mernin, McGreevey, Clifford: A bill for an act entitled: "An act amending Section 2816 Revised Codes of Montana 1935, and adding a new part to Chapter 256, Volume II, of the Political Codes, R.C.M. 1935, to be designated as Part VI, containing Sections 3033.1 to 3033.9 inclusive, relating to compensation for the occupational disease of silicosis." Referred to Committee on Workmen's Compensation.

House Bill No. 75: Introduced by Dillavou, Williams, Gebhardt, Hammond: A bill for an act entitled: "An act to repeal Section 11254 of the Revised Codes of Montana, 1935, relating to placing passenger-cars in front of freight cars." Referred to Committee on Railways and Railway Transportation.

Senate Joint Memorial No. 1: Introduced by Burke: A joint memorial entitled: "A memorial to the Congress of the United States for the passage of an act incorporating the principles of the Townsend National Recovery Plan substantially as set forth in a bill entitled House Resolution 3264, introduced into the House of Representatives in the Third Session of the Seventy-sixth Congress of the United States on February 1, 1940." Referred to Committee on Social Security.

Senate Joint Memorial No. 2: Introduced by Drumheller: A joint memorial entitled: "A joint memorial to the Congress of the United States requesting their consideration and notice of conditions tending to weaken and undermine the democracy we are striving to perpetuate." Referred to Committee on Federal Relations.

Senate Joint Memorial No. 3: Introduced by Mahoney, Plank and Alvord: A joint memorial entitled: "A memorial in support of the Committee of Investigation of Un-American Practices." Referred to Committee on Development and Publicity.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Friday, January 24, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

NINETEENTH DAY

House of Representatives,
Helena, Montana,
January 24, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Ahern, Anson, Gunderson, Watson, Welcome, Zuck.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eighteenth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Forbregd: A bill for an act entitled: "An act to re-enact Chapter 140, of the Twenty-sixth Legislative Assembly, 1939; an act to permit payment of delinquent installments on certificates of purchase of state lands without paying penalty interest, providing such installments be paid on or before December 1, 1942.

By Clifford, Murray, McGreevey: A bill for an act entitled: "An act appropriating money derived from the sale of State Insane Hospital bonds of the State of Montana under the provisions of referendum measure 43, which was submitted to the vote of the electors of the State of Montana in the last general election, and which provides that such funds should be used for the construction, repairing and equipping of necessary buildings, other permanent improvements and acquisition of necessary grounds therefor, at the Montana State Hospital for the Insane located at Warm Springs, Montana, and for the issue and sale of such bonds by the State Board of Examiners and at such times as by the State Board of Examiners are deemed to be necessary for the erection, repairing and equipping of necessary buildings, other permanent improvements and the acquisition of necessary grounds therefor at the State Hospital for the Insane; providing that the funds derived from the sale of such bonds are to be expended only for the purpose herein set forth and relating to the powers of the State Board of Examiners with respect to the sale of bonds and use of funds."

By Williams: A bill for an act entitled: "An act to amend Section 1758.3 of the Revised Codes of Montana, 1935, relative to chattel mortgages and conditional sales contracts on motor vehicles by providing that all conditional sales contracts, mortgages or liens deposited with the registrar of motor vehicles must be accompanied with the certificate of ownership, and that the unpaid balance of any mortgage or lien must be noted upon certificate of ownership by the registrar to make said chattel mortgage or lien valid as against creditors or subsequent purchasers."

By Dillavou, Beazley, Vanek, Williams, Martin, Toomey, Curran, Nash: A bill for an act entitled: "An act providing for the retirement of municipal water works employees of incorporated cities and towns in the State of Montana providing for the creation of a fund to be known as the 'water works employees retirement fund' in such cities and towns; providing for the monthly payment of retirement salaries to the said water works employees in consideration for past services and for any future services that may be rendered in an advisory capacity; providing for the suspension or discharge of incompetent employees; providing for a method of filing complaints against employees and providing for the arbitration and settlement of charges filed against any employee and prohibiting the final discharge of employees without a hearing; and repealing all acts or parts of acts in conflict herewith."

By Beazley: A bill for an act entitled: "An act authorizing and creating a lien for unpaid water service assessments, charges, rates, or rentals in the cities and towns of the State of Montana, and providing for the levy and collection of such assessments, charges, rates, or rentals as a tax against the real estate whereon or wherein such water service is rendered."

By Williams: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in or about public amusements, and providing penalties for a violation thereof, and repealing all acts in conflict therewith."

By Lippard and Lynch: A bill for an act entitled: "An act to amend Section 970 of the Revised Codes of Montana 1935, relating to the abandonment of school districts."

By Tyler: A bill for an act entitled: "An act to amend Section 8944 of the Revised Codes of the State of Montana, 1935, relating to and defining the practice of law and who is deemed to be practicing law and prescribing the penalties attached thereto for said violation."

By Newell: A bill for an act entitled: "An act to amend Section 3742 of the Revised Codes of Montana, 1935, as amended by Chapter 115 of the Laws of 1939, relating to transportation, possession and disposal of game animals or parts thereof and to exclude from the provisions thereof the hides and antlers of elk and deer."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 33, 13, 19, 36, 47, 49, 53 and House Joint Memorial No. 4, beg leave to report that the same have this date been returned from the printer correctly printed.

Report adopted.

BECK, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 3, respectfully report as follows: That House Joint Resolution No. 3 do pass.

Report adopted.

TOOLE, Chairman.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 43, respectfully report as follows: That House Bill No. 43 do pass.

LEHRKIND, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 be referred to Petroleum, Gas and Oil Committee.

LEHRKIND, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 do pass.

LEHRKIND, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 do pass.

LEHRKIND, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 40, respectfully report as follows: That House Bill No. 40 do pass.

LEHRKIND, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 41, respectively report as follows: That House Bill No. 41 do pass.

LEHRKIND, Vice-Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Armstrong, duly seconded and carried, that action on House Bill No. 10 be passed for the day.

It was moved by Byrne, duly seconded and carried, that in Committee of the Whole, all bills, memorials and resolutions be read by history, title and section number only, except at the request of a member, and that the time allotted to each member for discussion in committee of the whole be limited to five minutes.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 76: Introduced by James: A bill for an act entitled: "An act to amend Section 1805.21, Revised Codes of Montana of 1935, as amended by Chapter 65, Laws of the Twenty-sixth Legislative Assembly of 1939, related to the renewal of leases on state lands, and to repeal Section 1805.35, Revised Codes of Montana of 1935." Referred to Committee on State Lands.

House Bill No. 77: Introduced by Murray, Spiegel, Clifford: A bill for an act entitled: "An act to prohibit employer or organization to in-

terfere with the rights of employees to organize into labor organizations; providing penalties therefor; repealing acts and parts of acts in conflict herewith." Referred to Committee on Labor.

House Bill No. 78: Introduced by Morrow: A bill for an act entitled: "An act relating to actions for personal injuries, wrongful death and injury to property, abolishing the common law defense of contributory negligence and substituting therefor the rule of comparative negligence." Referred to Committee on Judiciary.

House Bill No. 79: Introduced by Blenkner: A bill for an act entitled: "An act to amend Sections 4309 and 4350 of the Revised Codes of Montana 1935, "defining the boundaries of Carbon and Stillwater counties and changing a portion of the boundary line between the counties of Stillwater and Carbon; taking from said county of Carbon certain territory and adding the same to the said county of Stillwater; providing for the appointment of commissioners to adjust indebtedness; providing for the transfer of school funds; providing for the transcribing and transfer of records and the transfer of actions pending in court; and providing that township, school, and other officers within the territory so transferred shall hold their offices for the balance of their terms." Referred to Committee on New Counties and Divisions.

House Bill No. 80: Introduced by Williams and Dillavou: A bill for an act entitled: "An act providing for licensing of motor vehicles in transit; regulating the manner of towing and the speed of such vehicles; requiring liability insurance and providing for disposal of funds; providing penalties for violation and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of general orders.

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend: That consideration of House Bill No. 16 be passed for the day. That House Joint Memorial No. 2 do pass.

SPIEGEL, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Saturday, January 25, 1941, at 9:45 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTIETH DAY

House of Representatives,
Helena, Montana,
January 25, 1941.

House convened, pursuant to adjournment, at 9:45 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson and Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Nineteenth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Williams: A bill for an act entitled: "An act to amend Section 6014.31 of the Revised Codes of Montana, 1935, and repealing all acts and parts of acts in conflict herewith."

By Nelson: A bill for an act entitled: "An act to insure the re-employment in state and civil employment of conscriptees and volunteers under the Federal Selective Training and Service Act of 1940, and National Guard and Reserve Officer Mobilization act."

By Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 2381.22 Revised Codes of Montana, 1935, relating to gasoline license tax, the distribution of the proceeds of such tax and the purposes for which the same shall be used."

By James: A bill for an act entitled: "An act to repeal Sections 2430, 2431, 2432 and 2433 of the Revised Codes of Montana, 1935, relative to licenses required for furnishing premiums or bonuses for the sale of merchandise."

By Committee on Education: A bill for an act entitled: "An act to amend Section 1263.11 Revised Codes of Montana 1935, relating to high school budgets, tax levy for high schools and apportionment of the proceeds of such levy."

By Committee on Education: A bill for an act entitled: "An act to amend Section 1034, Revised Codes of Montana, 1935, relating to consolidated districts and procedure in event of consolidation."

By Committee on Education: A bill for an act entitled: "An act to amend Section 1223 of the Revised Codes of Montana, 1935, relating to the challenging of voters, or of electors and the false affidavit of electors on school district elections for the purpose of extra taxation and repealing all acts or parts of acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 40, 41, 45, and House Joint Resolution No. 3, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Joint Memorial No. 2.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration Senate Joint Memorial No. 3, respectfully report as follows: That Senate Joint Memorial No. 3 be concurred in.

BEAZLEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 30, respectfully report as follows: That House Bill No. 30 be amended as follows: By changing the period and inserting a comma after the word State at the end of Section One, and inserting the following: "State, provided, however, that no further special qualifications shall be required of persons teaching in the elementary and secondary schools of the state until required by the State Board of Education." And as amended do pass.

JAMES, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Bjorneby, duly seconded and carried, that House Bill No. 13 be taken from General Orders and re-referred to the Committee on Privileges and Elections.

It was moved by Ahern, duly seconded and carried, that House Bill No. 16 be taken from General Orders and re-referred to the Committee on Townships and Counties.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 81: Introduced by Friedl: A bill for an act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana an amendment to Section 2, Article XIX of the Constitution of the State of Montana relating to lotteries or gift enterprises owned, operated and conducted exclusively by the State of Montana." Referred to Committee on Constitutional Amendments.

House Bill No. 82: Introduced by Tyler: A bill for an act entitled: "An act to amend Section 8944 of the Revised Codes of the State of Montana, 1935, relating to and defining the practice of law and who is deemed to be practicing law and prescribing the penalties attached thereto for said violation." Referred to Committee on Judiciary.

House Bill No. 83: Introduced by Lynch and Lippard: A bill for an act entitled: "An act to amend Section 970 of the Revised Codes of Montana, 1935, relating to the abandonment of school districts." Referred to Committee on Education.

House Bill No. 84: Introduced by Williams: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in or about public amusements, and providing penalties for a violation thereof, and repealing all acts in conflict therewith." Referred to Committee on Labor.

House Bill No. 85: Introduced by Nelson: A bill for an act entitled: "An act relating to slot machines and pin ball machines, defining the crime of possessing a slot machine or pin ball machine, prescribing penalties for the violation thereof, and repealing all acts in conflict therewith." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 86: Introduced by Williams: A bill for an act entitled: "An act to amend Section 1758.3 of the Revised Codes of Montana, 1935, relative to chattel mortgages and conditional sales contracts on motor vehicles by providing that all conditional sales contracts, mortgages or liens deposited with the registrar of motor vehicles must be accompanied with the certificate of ownership, and that the unpaid balance of any mortgage or lien must be noted upon certificate of ownership by the registrar to make said chattel mortgage or lien valid as against creditors or subsequent purchasers." Referred to Committee on Judiciary.

THIRD READING

House Joint Memorial No. 2, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin (Madison), Martin (Fergus), Miller, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Parker (Wibaux), Parker (Cascade), Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Tyler, Vanek, White, Williams, Winters, Zuck, Mr. Speaker. Total 87.

Noes: Blenkner, Loughran, O'Brien, Toomey, Wilson. Total 5.

Absent and not voting: Dillavou, Goodwin, Horrigan, Mernin, Oliver, Parker (Flathead), Potter, Spiegel, Watson, Welcome. Total 10.

It was moved by Byrne, duly seconded and carried, that all consideration of business on General Orders be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, January 27, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-SECOND DAY

House of Representatives,
Helena, Montana,
January 27, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson and Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twentieth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Gunderson, Curran, Parker of Cascade, Cummings, Toole: A bill for an act entitled: "An act relating to the payment of old age pensions to needy aged; defining the term "need"; providing for certain exemptions in determining need; creating a state old age pension commission and county old age pension commission; prescribing their powers and duties; providing for the appointment, salary and term of office; creating and establishing an old age pension fund; providing for administration of this act; prescribing rules of eligibility and regulations for grants of pensions;

providing the amount of pension; providing for appropriations, transfer and disposition of funds and revenue; defining fraudulent acts and providing penalties therefor; repealing Part 3 of Chapter 82 of the Laws of Twenty-fifth Legislative Assembly of 1937."

By Oliver: A bill for an act entitled: "An act to provide for the reduction of taxes on real and personal property, by imposing a tax upon the receipts from the retail sales of certain commodities, admissions and services as defined herein: to provide for permits to retailers: to provide for the ascertainment, levy, assessment of collections of such tax: for the creation of a replacement fund account, the distribution and use of the revenue derived by the tax herein imposed: and the administration of said law: to provide certain deductions and exemptions; establishing a lien for the payment of said tax: to provide fines and penalties for the violations of the provisions of this act, to repeal all laws or parts of laws in conflict herewith and declaring this act to be an emergency."

By Committee on Education: A bill for an act entitled: "An act to amend Section 1201.3 Revised Codes of Montana, 1935, relating to State common school equalization fund and the distribution thereof."

By Committee on Education: A bill for an act entitled: "An act to repeal Sections 1181, 1182, and 1183 Revised Codes of Montana 1935, relating to school library funds."

By Committee on Appropriations: A bill for an act entitled: "An act authorizing the state depository board to invest moneys belonging to state bond sinking and interest funds in certain classes of securities."

By Murray, McGreevey, Clifford: A bill for an act entitled: "An act to authorize the organization of state employees to bargain collectively with their employers and to provide rules and regulations for such collective bargaining organizations."

By Harrison: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 37 of Article V of the Constitution of the State of Montana relating to the investment of trust funds by executors, administrators, guardians or trustees."

By Committee on Appropriations: A bill for an act entitled: "An act authorizing the state board of examiners of the State of Montana to issue and sell refunding bonds for the purpose of providing funds to pay outstanding Montana State Insane Asylum revenue bonds; providing the methods therefor; and, appropriating money for carrying out the provisions of this act."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Joint Resolution No. 1, and House Bill No. 35, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 2, respectfully report as follows: That Senate Joint Memorial No. 2 do pass.

STEVENS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the Chief Clerk of the House of this 27th Session be instructed to write an appropriate

letter of thanks and appreciation to the Montana Mining Association for the splendid banquet and entertainment provided the members of this session, January 22, 1941.

It was moved by O'Connor, duly seconded and carried, that the Chief Clerk of the House be instructed to write a letter of appreciation to the Butte Chamber of Commerce for the trip through the mine and the banquet and entertainment extended the members of this session on January 25th, 1941.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 87: Introduced by Clifford, Murray, McGreevey: A bill for an act entitled: "An act appropriating money derived from the sale of state insane hospital bonds of the State of Montana under the provisions of referendum measure 43, which was submitted to the vote of the electors of the State of Montana in the last general election, and which provides that such funds should be used for the construction, repairing and equipping of necessary buildings, other permanent improvements and acquisition of necessary grounds therefor, at the Montana State Hospital for the Insane located at Warm Springs, Montana, and for the issue and sale of such bonds by the state board of examiners and at such times as by the state board of examiners are deemed to be necessary for the erection, repairing and equipping of necessary buildings, other permanent improvements and the acquisition of necessary grounds therefor at the State Hospital for the Insane; providing that the funds derived from the sale of such bonds are to be expended only for the purpose herein set forth and relating to the powers of the state board of examiners with respect to the sale of bonds and use of funds." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 88: Introduced by Education Committee: A bill for an act entitled: "An act to amend Section 1263.11 Revised Codes of Montana 1935, relating to high school budgets, tax levy for high schools and apportionment of the proceeds of such levy." Referred to Committee on Education.

House Bill No. 89: Introduced by Education Committee: A bill for an act entitled: "An act to amend Section 1034, Revised Codes of Montana, 1935, relating to consolidated districts and procedure in event of consolidation." Referred to Committee on Education.

House Bill No. 90: Introduced by Education Committee: A bill for an act entitled: "An act to amend Section 1223 of the Revised Codes of Montana, 1935, relating to the challenging of voters, or of electors and the false affidavit of electors on school district elections for the purpose of extra taxation and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 91: Introduced by Forbregd: A bill for an act entitled: "An act to re-enact Chapter 140, of the Twenty-sixth Legislative Assembly, 1939, an act to permit payment of delinquent installments on certificates of purchase of state lands without paying penalty interest, providing such installments be paid on or before December 1, 1942." Referred to Committee on State Lands.

House Bill No. 92: Introduced by Dillavou, Gebhardt, Hammond, Phelan, Williams, Curran, White, Cummings, Gunderson, Parker of Cascade, Stevens, Toole: A bill for an act entitled: "An act to amend Chapter 176 of the Session Laws of the Twenty-sixth Legislative Assembly, which is an act to amend Section 4464 of the Revised Codes of Montana, 1935, relating to compensation and mileage of county commissioners." Referred to Committee on Economy.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders, and that in General Orders, all bills be read by history, title and section number only, unless otherwise requested, and that members be limited to five minutes in debate, but that there may be yielding of time by any other member.

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration, the following, recommend:

That House Bill No. 10 be amended as follows: Amend the title to conform to amendments made in the body of the bill, by inserting in line 14 thereof, after the words "amending sections," the figures "194"; inserting in line 10 thereof after the word "health," the words "milk control board, state auditor and insurance commissioner ex-officio," and inserting in line 17 thereof, after the figures "2815.157" the figures "3645, 10400.44,";

Amend Section 1 by striking out in line 3 and 4, the words "corporation license taxes under Sections 2296 to 2304, inclusive, as amended" and inserting the words "and corporation license taxes under Sections 2296 to 2304, inclusive, as amended" and line 13 of said section 1 immediately following the words "as amended" contained in said line 13;

Amend Section 1 by striking out in line 10 the words "freight line taxes under sections 2097 to 2110, inclusive";

Amend Section 2 by adding in line 2, after the word "Health", the words "Milk Control Board, State Auditor and Insurance Commissioner ex-officio."

Amend Section 2 by striking out in lines 1 and 2 thereof the words "State Railroad Commission, State Public Service Commission" and inserting in lieu thereof the words "Board of Railroad Commissioners of Montana, Public Service Commission of Montana";

(Committee of the Whole).

Amend Section three by inserting in line one thereof, after the figure "3", the following: That Section 194, Revised Codes of Montana, 1935, be and the same is hereby amended to read as follows: "194. Support of State Institutions. For the support and endowment of each and every of the state institutions of the State of Montana now existing or hereafter to be created there is annually and perpetually appropriated respectively:

"1. The income from all permanent funds and endowments, and from all land grants as provided by law and all such contributions as may be derived from public or private bounty.

"All such funds shall be kept by the state treasurer in specific fund accounting entitled as to clearly indicate their purposes and sources."

(Committee of the Whole).

Amend Section 6 by inserting in line one thereof, after the figures "1935", the words "as amended by Chapter 83 of the laws of 1937";

(Committee of the Whole).

Amend Section 7 by striking out in line 4 thereof, the words "state treasurer" and inserting in lieu thereof the words "State Board of Equalization."

(Committee of the Whole—House Bill No. 10.)

Amend Section 8 by striking out in lines 3, 4, 5, and 6, all words appearing after the words "Payment of Tax. Such license shall be paid in" and inserting in lieu thereof the words "quarterly installments for the quarterly periods ending respectively March 31, June 30, September 30 and December 31, of each year, and the amount of the license tax for each quarterly period shall be paid to the state board of equalization within thirty (30) days after the end of each quarterly period."

(Committee of the Whole—House Bill No. 10.)

Amend Section 10 by inserting in line 1 thereof after the figures "2815.157", the figures "3645, and 10400.44"

(Committee of the Whole—House Bill No. 10.)

Amend the title by striking out in line 9 the words "State Railroad Commission, State Public Service Commission," and insert in lieu thereof the words "Board of Railroad Commissioners of Montana, Public Service Commission of Montana" and that House Bill No. 10 do pass, as amended.

That House Bill No. 19 do pass.

That House Bill No. 33 do pass.

That House Bill No. 36 do pass.

That House Bill No. 47 do pass.

That consideration of House Bill No. 49 be passed for the day.

That House Bill No. 53 do pass.

That House Bill No. 40 do pass.

O'CONNOR, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Cummings, Gunderson, Beazley, Clifford, Mernin, Murray: A bill for an act entitled: "An act to provide for the examination and registration of painters; to provide for the supervision and inspection of painting, decorating and paper-hanging, and the adoption and enforcement of minimum standards therefor; to provide for fees for registration of painters and the issuance of permits and renewals thereof to qualified registrants; to provide for the creation by the commissioner of agriculture of a division of the department of agriculture, labor and industry to carry out such purposes; to provide for the appointment of "painting examiners"; to provide penalties for violations of the provisions of this act; and to provide for the adoption by any city or town within the State of Montana of the minimum rules and regulations passed by such division of the Department of Agriculture, Labor and Industry and the prescription of rules and regulations in relation thereto, not inconsistent with any provision of this act."

By Eggenberger: A bill for an act entitled: "An act to extend protection to the civil rights of members of the military and naval establish-

ments of the United States, now engaged in military or naval training or who will be so engaged in the future."

By Dougherty: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1941, and ending June 30, 1943."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22 be amended to read in lines 18 and 28 as follows: In line 18, after the word "of", strike out the word "three" and insert in lieu thereof the word "four." In line 19, strike out the figure (3½%) and insert in lieu thereof the figure (4½%). In line 28, after the word "bear", strike out the word "three" and insert in lieu thereof the word "four." In line 28, also, strike out the figure (3½%) and insert in lieu thereof the figure (4½%). And, as amended, do pass.

LEHRKIND, Chairman.

Report adopted.

Speaker Pro Tem in the Chair.

The Entertainment Committee presented a short program.

It was moved by Curran, duly seconded and carried, that mimeographed copies of the "Singing Roll Call" and the poem read by Mr. Toomey "In Old Montana" be placed on the desks of all members.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 93: Introduced by Newell: A bill for an act entitled: "An act to amend Section 3742 of the Revised Codes of Montana 1935, as amended by Chapter 115 of the Laws of 1939, relating to transportation, possession and disposal of game animals or parts thereof and to exclude from the provisions thereof the hides and antlers of elk and deer." Referred to Committee on Fish and Game.

House Bill No. 94: Introduced by James: A bill for an act entitled: "An act to repeal Sections 2430, 2431, 2432, and 2433 of the Revised Codes of Montana 1935, relative to licenses required for furnishing premiums or bonuses for the sale of merchandise." Referred to Committee on Judiciary.

House Bill No. 95: Introduced by Williams: A bill for an act entitled: "An act to amend Section 6014.31 of the Revised Codes of Montana, 1935, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banks and Banking.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

James in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend: That House Bill No. 41 do pass. That House Bill No. 45 do pass. That consideration of House Bill No.

35 be passed for the day. That House Joint Memorial No. 4 do pass. That House Joint Resolution No. 3 do pass. That Senate Joint Memorial No. 3 be concurred in. That House Joint Resolution No. 1 do pass. That Senate Joint Memorial No. 2 be concurred in.

JAMES, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, January 28th, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-THIRD DAY

House of Representatives,
Helena, Montana,
January 28, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson, Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-second Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Lehrkind: A bill for an act entitled: "An act to amend Section 10536 of the Revised Codes of Montana, 1935, relating to privileged communications and the testimony of certain witnesses by adding thereto an additional subdivision exempting publishers, editors, reporters, or other persons connected with or employed upon a newspaper or news gathering agency."

By Cannon and Lowe: A bill for an act entitled: "An act to amend Section 3778.6 of the Revised Codes of Montana of 1935, classifying fur dealers' licenses and providing for the fees to be paid therefor."

By Williams and Dillavou: A bill for an act entitled: "An act providing for the elimination of lands from drainage districts that have not or are not benefited by the same and providing for procedure relative thereto."

By Aronson, Horrigan, Gebhardt, O'Connor: A bill for an act entitled: "An act to regulate, license, authorize and control games of chance, gambling games and gambling devices; providing for the operation under licenses duly issued by the Montana Liquor Control Board; providing for a license tax and fixing the amount thereof; granting to the Montana Liquor Control Board certain powers for enforcement of this act; prohibiting persons under the age of Twenty-one years from playing at or loitering about such games or from entering or being permitted to enter any house, room, or premises wherein any gambling games or gambling devices are operated or conducted; permitting cities, towns and counties to levy a license tax in addi-

tion to the state licenses herein provided for; defining certain words and terms used in this act; prescribing the hours during which games may be played; providing for the suspension and revocation of licenses; authorizing the Montana Liquor Control Board to prescribe and promulgate rules and regulations with statutory effect and granting to said board the power to regulate and control licenses and licensees; providing for hearings by the board and appeals from decisions thereof; providing for the allocation of license fees; providing penalties for the violation of this act; and repealing all acts and parts of acts in conflict herewith."

By Clifford, Murray and Stevens: A bill for an act entitled: "An act providing for the construction and furnishing of a building as an adjunct to the state capitol building to be known as the 'Montana Veterans and Pioneers Memorial Building,' as a memorial to the war veterans and pioneers of the state, and to house the property and staff of the Historical Society of Montana, the Society of Montana Pioneers, Sons and Daughters of Montana Pioneers, and of the war veterans organizations set forth in Chapter 131, Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939; authorizing the issuance and sale of bonds by the state for such purpose; appropriating money to pay the expense of issuing said bonds; designating the funds from which said bonds shall be paid; providing for an interest and sinking fund; enumerating the powers and duties of the State Board of Examiners in carrying out the provisions of this act; authorizing the state to receive gifts for the erection or maintenance of said memorial building and repealing all acts and parts of acts in conflict herewith."

By Horrigan, Aronson, Gebhardt and O'Connor: A bill for an act entitled: "An act relating to the licensing of slot machines, bank nights, wire rooms, pin ball, marble or bagetelle games, or other similar games; punch boards and similar devices; providing the manner of licensing; allowing cities, towns, and counties to issue licenses; and for the disposition of fees; prohibiting the operation of such games without a license; prohibiting those under the age of twenty-one years to play such games; providing penalties for the violation of this act; repealing all acts and parts of acts in conflict herewith."

By Lippard: A bill for an act entitled: "An act to authorize the district court to investigate and order payment of money for the care and maintenance of a child from a parent or parents found guilty by said court of desertion, abandonment, failure to provide necessary subsistence to care for, neglect, or improperly training a minor child, and to provide a penalty for the violation of any order of the court made thereunder."

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Select Committee on Memorial for deceased members, in performance of the solemn and thought provoking duty cast upon us, beg leave to submit the following House Memorial without previous notice, request unanimous consent for its immediate introduction, and under like consent, move its adoption by the House by standing vote, followed by a full minute of silence upon conclusion of reading the same and adoption by said vote.

Respectfully submitted,

McKENNA of Judith Basin,
MORROW, JR., of Gallatin,
MARTIN of Fergus,
TOOMEY of Lewis and Clark,
STEVENS of Cascade.

Report adopted.

The following House Memorial for deceased members was then read by the Hon. E. G. Toomey, and the same was, on motion, duly seconded and carried.

HOUSE MEMORIAL FOR DECEASED MEMBERS

Introduced by the Select Committee on Memorial without previous notice and by unanimous consent.

"Time rolls its ceaseless course," and in the biennium between the convocation of the Twenty-sixth and the Twenty-seventh Legislative Assemblies of Montana, has swept with it to the shores of eternity former members who graced this House with their presence, and brought honor to Montana. We who succeed them in the same Hall wherein they labored, pause to remember their intelligence clarifying our representative processes, their manly courage standing for convictions deep seated in enduring principles. They are, so far as known to us at this time:

W. M. Cusick, representative from Flathead County in the Nineteenth, the Twenty-fourth and Twenty-fifth Legislative Assemblies. Born at Burbank, South Dakota on December 16, 1878, Mr. Cusick was graduated from the University of South Dakota and came to Montana in June, 1901. He was married to Helen Hye. In his home county he devoted himself to farming, interrupted that occupation to serve his country for two years in its military service, and also as County Commissioner of Flathead County. He died June 25, 1940, at the age of 62 years. Mr. Cusick was a member of the Democratic party. On the floor of this House he was an aggressive champion of the agricultural interests of Montana.

Minnie Huser Beadle, representative from Silver Bow county in the Twenty-sixth Legislative Assembly, was born at Des Moines, Iowa, on February 8, 1880. There she attended the public schools. She came to Montana in November, 1898, and thereafter married M. Kerr Beadle. Her distinguished husband was a member of the Twenty-third Legislative Assembly from Silver Bow county. Because of her natural endowments, exemplified in active and useful work in the Butte Women's Club, in the Silver Bow Pioneer Club and the Spanish-American War Auxiliary, Mrs. Bealde was induced to follow her husband in like service in this House. Here she was an industrious worker for social welfare.

Andrew James Brower was representative from Lake County in the Twenty-sixth Legislative Assembly. A brief sketch of his life, furnished by a colleague, informs us:

"Mr. Brower was born in the State of New York in 1876. He attended college in South Dakota and studied law while supporting himself. After being admitted to the bar in South Dakota, he practiced law for a short time in New York and later returned to South Dakota. In 1910 he came to Montana and settled at Ronan where he was engaged in banking. In 1930 he moved to Polson and opened a law office where he was practicing at the time of his death.

"Mr. Brower was survived by his wife and one daughter, Virginia Brower of Glendale, California, a brother, W. C. Brower of Clark, South Dakota, a sister-in-law, Mrs. W. S. Hollingsworth of Ronan and two nephews, V. C. Hollingsworth, Hamilton and Earle Hollingsworth of Ronan.

"Mr. Brower's legislative service started in 1913 when he was elected State Representative for one term and subsequently served two terms as State Senator from Missoula County, and at that session he attempted to create Lake County out of Missoula County, but the legislative effort was unsuccessful. Ten years later Lake County was created out of Missoula and Flathead Counties, through a vote of the people, rather than by legislative action and Mr. Brower was a leader in that campaign for the new county.

"Representative Brower was one of the few men of the state to have represented two counties in the legislature while his residence remained in the same district.

"At 64 years of age, he died March 10, 1940, at St. Ignatius, Montana, following a brief illness. Mr. Brower was the best known man in Lake County, and had a wide acquaintance throughout the entire western part of Montana. He was, in truth, the "father of Lake County."

"By his passing, Lake County and western Montana lost a beloved friend and a loyal citizen. We remember him here for a keen and vigorous mentality, and a breadth of nature that made him a founder and a builder that encompassed the high and the low in an affection for the best in all of us."

Frank G. Givens, Representative from Cascade County in the Twenty-third Legislative Assembly, was a child member of the valiant band who made the great western trek to the "Land of the Shining Mountains" before the immortal Lincoln breathed life into the territory of Montana by approval of the Organic Act on May 26, 1864. Mr. Givens was born at Grays Summit, Missouri on January 28, 1862, and as an infant he was carried across the plains to a point in what is now Montana, reaching destination July 20, 1862. His beloved wife was Lida Stibb. In politics a Democrat and in formal fraternal life a Mason, Frank Givens was not unreasonably bound by any tie save that of conscience. Death came to him on September 6, 1939, at Great Falls, Montana, after more than seventy-seven years of work for, and service to, the land he sought and loved.

John Henry Leuthold represented Stillwater County in the Twenty-sixth Legislative Assembly. Born August 31, 1873, at Iola, Wisconsin, Leuthold was at an early age, a seeker after knowledge and he gained by his own efforts a well grounded preparatory education. Prior to his arrival in Montana on April 1, 1910, John Leuthold successfully engaged in the dairy products business in Chicago. For more than thirty years he was a leader in the Stillwater County area where he engaged in farming, and by example and practice stimulated modern methods of agriculture, and counseled the many who asked his help and advice as to the necessity of a special study of the particular factors influencing man's husbandry in Montana. Before he served in the House, he represented Stillwater County in four Legislative Sessions as its State Senator in the Sixteenth, Seventeenth, Eighteenth and Nineteenth Assemblies. In the legislature, Senator Leuthold, as he was always known, was ever an advocate of the most economical handling of public funds, in his long service on the Senate Committee on Finance and Claims and the House Committee on Appropriations. He was ruthless with the wasters thereof, and a tower of strength in defense of the careful, selfless administrator. He was a staunch Republican. An unfortunate automobile accident ended his useful life on July 1, 1940. Montana's citizens generally joined with his wife, the former Hilda A. Wilson, and children in mourning a real loss to the state.

George P. Mason represented Lewis and Clark County in the Twentieth, Twenty-first, Twenty-second and Twenty-third Legislative Assemblies, covering the years 1927-1933. Born at Penn Yan, New York in 1882, George Mason came to Helena in 1887, at the age of five years, and from that time, whether as a youngster in the public schools, or as a mature and successful business man, he endeared himself to the community. Blessed with a strong and pleasing countenance, and with unusual tact in his relations with his fellow men, George Mason was a valued member of the Benevolent and Protective Order of Elks, of the Knights of Columbus and of the Democratic party. In those relations he was generously aided by his talented wife, born Lenora Klei, the mother of their two children. He died in the meridian of mature life. Lewis and Clark County knows Montana's legislators and its repeated endorsement of George Mason is high tribute to his character.

Bruce Joe Metlen represented Beaverhead County in the House continuously from and including the Twenty-first Legislative Assembly through the Twenty-sixth Legislative Assembly, covering the tumultuous decade 1929-1939. Born September 1, 1889, at Dillon, Montana, he attended its

public schools, and, in due time, the University of Denver, the University of Montana, and was graduated from Leland Stanford, Jr. University. In his collegiate years he was a member of Sigma Nu. Later Joe Metlen affiliated with the Ancient Free and Accepted Masons, Helena Consistory of the Scottish Rite, and the Benevolent and Protective Order of Elks. He was a bachelor throughout life. Everywhere men felt the warmth of his nature and had his encouragement in their earnest endeavors for advancement on Man's Rough Road. Mr. Metlen devoted his business energies to ranching and livestock raising. His versatile and lively mind brought to that field of endeavor an intelligence and industry that made him a leader. In the assembly his special knowledge of such industry and of taxation, a subject to which he devoted much study, was generously given and accurately applied.

A sudden and devastating illness cut him down on June 27, 1939, despite every effort to defeat its attack. When the news of his untimely passing reached the ears of his many colleagues throughout the state, they reverently stopped to mention his name and cling to his memory. Here he was loved.

Samuel Vernon Stewart represented Lewis and Clark county in the Twenty-second Legislative Assembly in 1931. He died at Helena on September 15, 1939. The mention of his name at once recalls the commanding figure and judicial mien of the beloved Governor of Montana (1913-1921) distinguished in that repeatedly the people of Montana throughout more than forty years, covering almost the whole span of his life within the state, entrusted him with public office, City Attorney of Virginia City, County Attorney of Madison County, Governor, State Representative and Associate Justice of the Supreme Court (1933-1939). To this date he alone, in Montana's history, has the unique distinction of serving in all of the three branches of our state government. His public services are the subject of commemoration in Volume 109, Montana Reports, page IX, and, within the compass of this memorial, we cannot better express the feeling of Montana's citizens then to quote these words therefrom:

"He was a man of courage when courage was required but always seemingly intent upon establishing and promulgating the great Christian principle of trying to make clear in public, private and judicial life the doctrine which is described as the great Commandment: 'Love ye one another'."

We think of him under the impulse of that very thought of and from him.

John Charles Sheffer served Treasure County as its Representative in two consecutive legislative sessions, the Twenty-first in 1929 and the Twenty-second in 1931. He was born at Mt. Blanchard, Ohio, June 6, 1863 and came to the great northwest. He first located at Elmore, Minnesota in 1887, and there he was united in marriage to Miss Louise Wolfe on May 6, 1888, and theirs was a union of unusual felicity. He was made a Mason at Elmore and had been a member of that order for more than fifty years when he passed to the lodge eternal on November 25th, 1940.

He and his wife had been members of the Eastern Star fifty years in March, 1940. They were charter members of the O. E. S. at Rolph, Iowa, where their enthusiasm and loyalty nourished the new organization.

The only hobby Mr. Sheffer had was to help his brother Masons to live up to the teachings of the Order. He loved this work and truly ministered to the fraternity.

Mr. Sheffer studied medicine and attended the Iowa Medical College for a year. All of his life he was very much interested in the medical profession and this interest was reflected in his sympathy for the whole human family.

For twenty-five years Mr. Sheffer served as agent for the Northern Pacific Railway company at stations in Montana—Billings, Meyers and principally at Sanders, in Treasure county. His long service is eloquent of its satisfactory character.

In this House, Mr. Sheffer's kindly nature, won him warm friends and an influence that was conciliating in our deliberations.

Charles A. Rasmusson represented Dawson County in three legislative sessions, the Fourteenth, Fifteenth and Sixteenth, covering the years, 1915, 1917 and 1919. Born in Denmark on January 17th, 1876, Mr. Rasmusson was brought to the United States as a small child and in 1902 he married Bessie Andrews of Iowa, a talented descendant of a long American line, whose forbears served in the Revolutionary Army. Here he became a citizen and when thirty-one years of age, in 1907, he came to Montana and soon located in Glendive. There he advanced rapidly, becoming publisher and owner of the Dawson County Review. His paper, edited on a high plane, enjoyed great influence in eastern Montana, and brought its public-spirited owner to the favorable attention of the state as a whole.

In the legislature, Charles Rasmusson, always an ardent Republican, won support for his causes by a sense of fair play and a genial tact that gave him an entree in any group.

Following his service in the House of Representatives, Mr. Rasmusson became Collector of Internal Revenue for Montana by appointment from President Harding and continued in that high Federal office for nearly eleven years, from 1922 to 1933. His record there justified every confidence and after a change in national administration, to his appointment as United States Probation Officer under the jurisdiction of the United States District Court for Montana, in which duty he was serving at the time of his death in December, 1939. Charles A. Rasmusson will remain an inspiring example of the self-made American, proof that industry and nobility of character increases the stature of a man anywhere on earth.

Now, mindful of the virtues of those who preceded us here and whom we soon will follow,

Be it Resolved by the Members of the House of Representatives of this Twenty-seventh Legislative Assembly of the State of Montana, that we are grateful for the memory of the departed, whose examples give us strength at a time when the souls of men are being tried in one of the epochal upheavals of mankind, and we make firm determination to achieve therein another great advance in the nobility of brotherhood, and toward inviolability for the dignity of the human soul.

Be it Further Resolved, that this memorial be tendered to the relatives and friends of our late predecessors, as our expression of deep sympathy in their, and our bereavement, and that it be recorded on the Journal of this House of Representatives.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 30, 38, and 43 beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 41, 45, 53, 36, 19, 40, House Joint Resolutions Nos. 3 and 1, and House Joint Memorial No. 4.

SAYLOR, Chairman.

Report adopted.

I have examined House Bill No. 19 introduced by me and find the same to be correct.

LABONTE.

I have examined House Bill No. 33 introduced by me and find the same to be correct.

TOOMEY.

I have examined House Joint Memorial No. 4 introduced by me and find the same to be correct.

SCOTT.

Mr. Speaker: We your Committee on Revenue and Taxation having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39 do pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Revenue and Taxation having had under consideration House Bill No. 42, respectfully report as follows: That House Bill No. 42 do pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Revenue and Taxation having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Revenue and Taxation having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do pass.

GUNDERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do pass.

GUNDERSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 84, respectfully report as follows: That House Bill No. 84 do pass.

MURRAY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 do pass.

MURRAY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 11, respectfully report as follows: That House Bill No. 11 do pass.

O'BRIEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings and Grounds, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 18, respectfully report as follows: That House Bill No. 18 do not pass.

O'BRIEN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read three several times and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

S. B. No. 4, by Haynes.

S. B. No. 7, by Mahoney.

S. B. No. 16, by Simmons and Maddox.

S. B. No. 17, by Liggett.

S. J. M. No. 4, by Wood, et al.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Toole, duly seconded and carried, that House Bill No. 35 be taken from General Orders and re-referred to the Committee on Judiciary.

It was moved by Martin of Fergus, duly seconded, that House Bill No. 53 be taken from third reading and placed on General Orders for further consideration. A roll call to be entered in the Journal, was requested by the required number and said motion was lost by the following vote:

Ayes: Anderson, Antrim, Banka, Beazley, Beck, Bjerneby, Byrne, Cannon, Clifford, Dole, Cummings, Curran, Dahlquist, Davey, Dougherty, Flook, Goodwin, Gunderson, Holding, Hess, James, Laubach, Lynch, McGreevey, McKenna, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Reed, Saylor, Scott, Spiegel, Stevens, Tonn, Tyler, Vanek, Zuck. Total 45.

Noes: Ahern, Allen, Anson, Armstrong, Aronson, Ballard, Blenkner, Burke, Busch, Carlson, Castles, Dillavou, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hunter, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McMichael, Martin of Madison, Miller, Newell, O'Connor, Oliver, Parker of Flathead, Potter, Rasmussen, Rice, Roehl, Scofield, Simpson, Toole, Toomey, White, Williams, Wilson, Winters, Mr. Speaker. Total 53.

Absent and not voting: Friedl, Horrigan, Watson, Welcome. Total 4.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

House Bill No. 96: Introduced by Murray, McGreevey, and Clifford: A bill for an act entitled: "An act to authorize the organization of state employees to bargain collectively with their employers and to provide rules and regulations for such collective bargaining organizations." Committee on State Boards and Offices.

House Bill No. 97: Introduced by Eggenberger: A bill for an act entitled: "An act to extend protection to the civil rights of members of the military and naval establishments of the United States, now engaged in military or naval training or who will be so engaged in the future." Committee on Military Affairs.

House Bill No. 98: Introduced by Committee on Appropriations: A bill for an act entitled: "An act authorizing the state depository board to invest moneys belonging to state bond sinking and interest funds in certain classes of securities." Committee on Banks and Banking.

House Bill No. 99: Introduced by Committee on Appropriations: A bill for an act entitled: "An act authorizing the State Board of Examiners of the State of Montana to issue and sell refunding bonds for the purpose of providing funds to pay outstanding Montana State Insane Asylum revenue bonds; providing the methods therefor; and, appropriating money for carrying out the provisions of this act." Committee on Appropriations.

House Bill No. 100: Introduced by Gunderson, Curran, Parker of Cascade, Cummings, and Toole: A bill for an act entitled: "An act relating to the payment of old age pensions to needy aged: defining the term "need"; providing for certain exemptions in determining need; creating a state old age pension commission and county old age pension commission; prescribing their powers and duties; providing for the appointment, salary and term of office; creating and establishing an old age pension fund; providing for administration of this act; prescribing rules of eligibility and regulations for grants of pensions; providing the amount of pension; providing for appropriations, transfer and disposition of funds and revenue; defining fraudulent acts and providing penalties therefor; repealing Part 3 of Chapter 82 of the Laws of Twenty-fifth Legislative Assembly of 1937." Committee on Social Security.

House Bill No. 101: Introduced by Armstrong, Byrne, Lehrkind, Anson, Morrow, Blenkner and Newell: A bill for an act entitled: "An act making appropriations for the state public school general fund for the period beginning July 1, 1941 and ending June 30, 1943." Committee on Appropriations.

House Bill No. 102: Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 2381.22 Revised Codes of Montana, 1935, relating to gasoline license tax, the distribution of the proceeds of such tax and the purposes for which the same shall be used." Committee on Highways and Highway Transportation.

House Bill No. 103: Introduced by Committee on Education: A bill for an act entitled: "An act to repeal Sections 1181, 1182 and 1183 Revised Codes of Montana 1935, relating to school library funds." Committee on Education.

House Bill No. 104: Introduced by Committee on Education: A bill for an act entitled: "An act to amend Section 1201.3 Revised Codes of Montana 1935, relating to state common school equalization fund and the distribution thereof." Committee on Education.

House Bill No. 105: Introduced by Oliver: A bill for an act entitled: "An act to provide for the reduction of taxes on real and personal property, by imposing a tax upon the receipts from the retail sales of certain commodities, admissions and services as defined herein; to provide for permits to retailers; to provide for the ascertainment, levy, assessment of collections of such tax; for the creation of a replacement fund account, the distribution and use of the revenue derived by the tax herein imposed: and the administration of said law: to provide certain deductions and exemptions; establishing a lien for the payment of said tax: to provide fines and penalties for the violations of the provisions of this act, to repeal all laws or parts of laws in conflict herewith and declaring this act to be an emergency." Committee on Revenue and Taxation.

Senate Bill No. 4: Introduced by Haynes: A bill for an act entitled: "An act limiting the time within which an action may be commenced to determine the validity of a tax deed." Committee on Judiciary.

Senate Bill No. 7: Introduced by Mahoney: A bill for an act entitled: "An act providing for the lettering to be placed on state owned motor vehicles, the kind, size, and place of letter; vehicles in the service of the governor and the highway patrol excepted, and providing penalties therefor." Committee on State Boards and Offices.

Senate Bill No. 16: Introduced by Simmons and Maddox: A bill for an act entitled: "An act to amend Section 8289 of the Revised Codes of Montana, 1935, relating to acknowledgment of satisfaction of mortgage." Committee on Judiciary.

Senate Bill No. 17: Introduced by Liggett: A bill for an act entitled: "An act providing the method whereby public administrators may continue to administer estates not closed at the termination of their term of office by being appointed as general administrators of said estates not closed, or may voluntarily be relieved from further performance of the trust, and prescribing a method whereby a successor in office to a public administrator whose term has expired may compel his predecessor to surrender to him the unfinished estates and property belonging to same and allowing compensation for services performed." Committee on Judiciary.

Senate Joint Memorial No. 4: introduced by Wood, Hammond, Findlater, Burke, Nutt, Haynes, Baker of Dawson, Weinschrott, Toman: A memorial entitled: "A memorial in relation to the construction of a water conservation project in the valley of the Little Missouri river for the irrigation of lands in the Little Missouri valley in Wyoming and Montana." Committee on Water Conservation and Flood Control.

It was moved by Byrne, duly seconded and carried, that third reading and consideration of business on General Orders be deferred until the afternoon session.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Goodwin: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in or about bakeries; providing for exemptions therefrom; and providing penalties for a violation thereof and repealing all acts and parts of acts in conflict herewith."

By Byrne: A bill for an act entitled: "An act to amend Section 717 of the Revised Codes of Montana, 1935, relating to the form of application for absent voter's ballot."

By Hammond, Gebhardt, Williams and Dillavou: A bill for an act entitled: "An act to amend Section 3 of Chapter 137 of the Session Laws of the State of Montana of 1937, as amended by Section 1 of Chapter 137 of the Session Laws of the State of Montana of 1939, relating to the payment of benefits under the unemployment compensation law by limiting the maximum total amount of benefits payable during a benefit year and the benefit payments in seasonal industries; to amend Section 19 of Chapter 137 of the Session Laws of the State of Montana of 1937, relating to the definition of words and phrases used in the unemployment compensation law by adding thereto a new subsection (s) defining "seasonal industry," "normal seasonal period or periods", "non-seasonal period or periods" and "seasonal worker", and providing for the determination of the normal seasonal period or periods of a seasonal industry; and repealing all acts and parts of acts in conflict herewith."

By Cummings and Toole: A bill for an act entitled: "An act to amend Section 12297 of the Revised Codes of Montana of 1935, relating to the power of the County Commissioners to establish youth homes; qualifications of superintendent; funds for the administration of youth homes."

By Gebhardt, Williams, Dillavou, Hammond and Toomey: A bill for an act entitled: "An act to amend Sections 5309.1 to 5309.36 inclusive of the Revised Codes of Montana of 1935, embodied in Chapter 404 thereof, relating to the creation and operation of housing authorities by adding thereto a new Section 5309.37 providing a method for dissolving a housing authority, and repealing all acts and parts of acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 47 and 33.

SAYLOR, Chairman.

Report adopted.

I have examined House Bill No. 33 introduced by me and find the same to be correct.

PETERSEN.

I have examined House Bill No. 47 introduced by me and find the same to be correct.

HUNTER.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 22, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length:

Senate Joint Memorial No. 2 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon,

Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 86.

Noes: Holding, Hess, Martin of Fergus, Murray, O'Brien. Total 5.

Absent and not voting: Banka, Green, Hageman, Kirscher, Lehrkind, Mernin, Parker of Flathead, Rice, Simpson, Watson, Welcome. Total 11.

Senate Joint Memorial No. 3 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beazley, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Harken, Harrison, Hazelbaker, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Miller, Morrow, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck, Flook, Mr. Speaker. Total 81.

Noes: Banka, Beck, Bjerneby, Cannon, Dahlquist, Friedl, Gunderson, Holding, Hess, McKenna, Martin of Fergus, Mernin, Murray, Nelson, Parker of Cascade, Spiegel, Vanek. Total 17.

Absent and not voting: Hageman, Hammond, Watson, Welcome. Total 4.

House Bill No. 41 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquest, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBorte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 95.

Absent and not voting: Hageman, Hammond, McKenna, Mernin, Tyler, Watsen, Welcome. Total 7.

House Bill No. 45 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, La-

Bonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 96.

Absent and not voting: Beck, Dougherty, Hageman, Mernin, Watson, Welcome. Total 6.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65 do not pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 9, respectfully report as follows: That House Bill No. 9 do not pass, but that Substitute House Bill No. 9 introduced by Committee on State Boards and Offices: A bill for an act entitled: "An act relating to the employment of assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers and executive attaches of all civil executive state officers, board, commissions, bureaus, and departments of the State of Montana; authorizing the State Board of Examiners to fix the number, compensation, term and tenure of office of all such employees and repealing Chapter 5 of the acts of the Twenty-fifth Legislative Assembly of Montana of 1937 and all other acts and parts of acts in conflict herewith." Do pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 7, respectfully report as follows: That House Bill No. 7 be amended by providing for a new section to be known as Section 4 and renumbering the present Section 4 Section 5, and the present Section 5 Section 6, and the present Section 6 Section 7. The new Section 4 to read as follows:

"That in the event that any officer of the state or county is absent from the state during service with the armed forces of the state or of the United States and is permitted to maintain his office as herein provided, such officer shall not be entitled to any of the salary or compensation provided by law to be paid to such officer during the time that he is absent during service within the armed forces of the state or of the United States, and a temporary appointment to carry on the duties of such officer may be made by the person or persons authorized to make appointments to such office, and such temporary officers shall be entitled to the salary and compensation of such office during the absence of such state or county officer during his service with the armed forces of the state or of the United States." And as so amended, do pass.

CANNON, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following was introduced, read first and second times, and referred to a committee: All appropriation measures having been read at length:

House Bill No. 106: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1941, and ending June 30, 1943." Committee on Appropriations.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length:

House Bill No. 53 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Blenkner, Burke, Busch, Byrne, Castles, Cole, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Morrow, Newell, O'Connor, Oliver, Parker of Flathead, Potter, Reed, Rice, Roehl, Scofield, Scott, Simpson, Stevens, Toole, Toomey, White, Williams, Wilson, Winters. Total 63.

Noes: Beazley, Beck, Bjerneby, Cannon, Clifford, Cummings, Curran, Dahlquist, Davey, Dougherty, Gunderson, Holding, Hess, James, McGreevey, McKenna, Martin of Fergus, Murray, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Saylor, Spiegel, Tonn, Tyler, Vanek, Zuck, Mr. Speaker. Total 33.

Absent and not voting: Armstrong, Carlson, Lippard, Mernin, Watson, Welcome. Total 6.

House Bill No. 36 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, Zuck, Busch, Mr. Speaker. Total 97.

Absent and not voting: Lippard, Mernin, Watson, Welcome, Williams. Total 5.

House Bill No. 19 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Ham-

mond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, Zuck, Mr. Speaker. Total 95.

Absent and not voting: Kirscher, Mernin, Parker of Cascade, Potter, Watson, Welcome, Williams. Total 7.

House Bill No. 40 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 95.

Noes: Cannon, Freshman, Spiegel. Total 3.

Absent and not voting: Mernin, Rice, Watson, Welcome. Total 4.

House Joint Resolution No. 3 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 94.

Absent and not voting: Antrim, Mernin, Newell, Parker of Flathead, Rice, Spiegel, Watson, Welcome. Total 8.

House Joint Memorial No. 4 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scott, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Zuck, Friedl, Mr. Speaker. Total 84.

Noes: Blenkner, Freshman, Morrow, O'Connor, Scofield, Simpson, Tonn, Wilson, Winters. Total 9.

Absent and not voting: Antrim, Carlson, Lippard, Mernin, Parker of Flathead, Potter, Rice, Watson, Welcome. Total 9.

House Joint Resolution No. 1 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Winters, Zuck, Mr. Speaker. Total 94.

Noes: Petersen. Total 1.

Absent and not voting: Antrim, Hammond, Mernin, Rice, Watson, Welcome, Wilson. Total 7.

House Bill No. 33 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 92.

Noes: Allen, Harrison, Hunter, Miller, Simpson, Tonn. Total 6.

Absent and not voting: Mernin, Toole, Watson, Welcome. Total 4.

House Bill No. 47 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Blenkner, Burke, Busch, Byrne, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Harken, Harrison, Hazelbaker, Horrigan, Hunter, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Miller, Morrow, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Simpson, Toole, Toomey, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 70.

Noes: Anderson, Banka, Beazley, Beck, Bjorneby, Cannon, Carlson, Dahlquist, Dougherty, Gunderson, Holding, Hess, James, Kemmis, Kirscher, McKenna, Martin of Fergus, Murray, Nelson, Parker of Cascade, Petersen, Saylor, Scott, Spiegel, Stevens, Tonn, Tyler, Vanek. Total 28.

Absent and not voting: Hageman, Mernin, Watson, Welcome. Total 4.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Kemmis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 49, recommend that the same do pass.

KEMMIS, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday, January 29th, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-FOURTH DAY

House of Representatives,
Helena, Montana,
January 29, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson and Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-third Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Military Affairs: A bill for an act entitled: "An act relating to sites and buildings suitable for armory purposes and the leasing thereof by the State of Montana and by counties and other political subdivisions and municipalities."

By Committee on Military Affairs: A bill for an act entitled: "An act relating to the Montana Armory Board, amending Section 4 of Chapter 151 of the Session Laws of 1939, validating acts, proceedings and bonds issued by it eligible for deposits to secure public funds and for the investment of funds of insurance companies, public sinking funds and public and private trusts, including the Montana trust and legacy fund."

Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to appropriate twenty thousand dollars (\$20,000.00) per annum to aid in the continuation of the cooperative work now being carried on by the Montana Livestock Commission and the United States department of the interior, fish and wildlife service, in the control of predatory

animals in the State of Montana and said funds to be subject to the order of the Livestock Commission of the State of Montana.”

By Saylor, Miller, Nelson: A bill for an act entitled: “An act providing for the appointment of deputies to county officers in counties of the seventh class having less than 2,000 population, and repealing all acts and parts of acts in conflict herewith.”

By Committee on Judiciary: A bill for an act entitled: “An act to amend Section 3 of Chapter 116 of the Laws of 1937 relative to the resignation of state, county and other officers who become candidates for another office and providing exceptions, by including district judges who become candidates for chief justice or associate justice of the supreme court in the exceptions to the act.”

By Wilson, Reed and Scofield: A bill for an act entitled: “An act providing for the licensing and bonding of livestock dealers: defining livestock dealers under the provisions of this act; providing for the collection of fees, and providing for the enforcement of this act and penalties for the violation thereof.”

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 49 and 10.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: I have examined House Bill No. 49 introduced by me and find the same to be correct.

WILLIAMS.

I have examined House Bill No. 10 introduced by me and find the same to be correct.

ARMSTRONG.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 42, 76, 59, 39, 11, 54, 84, and Substitute House Bill No. 9, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 95, respectfully report as follows: That House Bill No. 95 be amended to read as follows: A bill for an act entitled: “An act to amend Section 6014.31 of the Revised Codes of Montana, 1935, relating to limitation of loans on real estate by banks, and repealing all acts and parts of acts in conflict herewith.” And, as amended, do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 be amended as follows: In Section 1, Page 1, by striking out the words and figures one hundred (\$100.00) dollars as they appear in lines 9, 21, 22 and 23 and also on Page 3, Line 15, by striking out the words and figures one hundred (\$100.00) dollars, and substituting therefor the words and figures fifty (\$50.00) dollars. Also to amend Section 1 by striking out the words and figures three hundred fifty (\$350.00) dollars in lines 23, 24 and 27 and substituting therefor the words and figures two hundred fifty (\$250.00) dollars. Also by adding in Section 1, Page 2, Line 29 as follows: After "In Section 4465.9" change to read "4465.9 but at the rate of 4% on deferred payments." And by further amending the bill by entirely striking out Section 3, and that said bill as amended do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration Senate Joint Memorial No. 1, respectfully report as follows: That Senate Joint Memorial No. 1 be concurred in.

BYRNE, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 6, by Williams, was this day recommended for non-concurrence by the Senate Committee on Judiciary report adopted; and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees. All appropriation measures having been read at length:

House Bill No. 107: Introduced by Gebhardt, et al: A bill for an act entitled: "An act to amend Sections 5309.1 to 5309.36 inclusive of the Revised Codes of Montana of 1935, embodied in Chapter 404 thereof, relating to the creation and operation of housing authorities by adding thereto a new Section 5309.37 providing a method for dissolving a housing authority, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 108: Introduced by Cummings and Toole: A bill for an act entitled: "An act to amend Section 12297 of the Revised Codes of Montana of 1935, relating to the power of the County Commissioners to establish youth homes; qualifications of superintendent; funds for the administration of youth homes." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 109: Introduced by Hammond, Williams, Gebhardt and Dillavou: A bill for an act entitled: "An act to amend Section 3 of Chap-

ter 137 of the Session Laws of the State of Montana of 1937, as amended by Section 1 of Chapter 137 of the Session Laws of the State of Montana of 1939, relating to the payment of benefits under the unemployment compensation law by limiting the maximum total amount of benefits payable during a benefit year and the benefit payments in seasonal industries; to amend Section 19 of Chapter 137 of the Session Laws of the State of Montana of 1937, as amended by Section 6 of Chapter 137 of the Session Laws of the State of Montana of 1939, relating to the definition of words and phrases used in the unemployment compensation law by adding thereto a new Sub-section (s) defining "seasonal industry," "normal seasonal period or periods", "non-seasonal period or periods", and "seasonal worker", and providing for the determination of the normal seasonal period or periods of a seasonal industry; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 110: Introduced by Goodwin: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in or about bakeries; providing for exemptions therefrom; and providing penalties for a violation thereof and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Labor.

House Bill No. 111: Introduced by Lippard: A bill for an act entitled: "An act to authorize the district court to investigate and order payment of money for the care and maintenance of a child from a parent or parents found guilty by said court of desertion, abandonment, failure to provide necessary subsistence to care for, neglect, or improperly training a minor child, and to provide a penalty for the violation of any order of the court made thereunder." Referred to Committee on Judiciary.

House Bill No. 112: Introduced by Clifford, Murray and Stevens: A bill for an act entitled: "An act providing for the construction and furnishing of a building as an adjunct to the state capital building to be known as the 'Montana Veterans and Pioneers Memorial Building', as a memorial to the war veterans and pioneers of the state, and to house the property and staff of the Historical Society of Montana, the Society of Montana Pioneers, Sons and Daughters of Montana Pioneers, and of the War Veterans Organizations set forth in Chapter 131, Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939; authorizing the issuance and sale of bonds by the state for such purpose; appropriating money to pay the expense of issuing said bonds; designating the funds from which said bonds shall be paid; providing for an interest in sinking fund; enumerating the powers and duties of the State Board of Examiners in carrying out the provisions of this act; authorizing the state to receive gifts for the erection or maintenance of said memorial building and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Military Affairs.

House Bill No. 113: Introduced by Byrne: A bill for an act entitled: "An act to amend Section 717 of the Revised Codes of Montana of 1935, relating to the form of application for absent voter's ballot." Referred to Committee on Privileges and Elections.

House Bill No. 114: Introduced by Nelson: A bill for an act entitled: "An act to insure the re-employment in state and civil employment of conscriptees and volunteers under the Federal Selective Training and Service Act of 1940, and National Guard and Reserve Officers Mobilization Act." Referred to Committee on Military Affairs.

House Bill No. 115: Introduced by Cannon and Lowe: A bill for an act entitled: "An act to amend Section 3778.6 of the Revised Codes of Montana of 1935, classifying fur dealers' licenses and providing for the fees to be paid therefor." Referred to Committee on Fish and Game.

House Bill No. 116: Introduced by Beazley: A bill for an act entitled: "An act authorizing and creating a lien for unpaid water service

assessments, charges, rates, or rentals in the cities and towns of the State of Montana, and providing for the levy and collection of such assessments, charges, rates, or rentals as a tax against the real estate whereon or where-in such water service is rendered." Referred to Committee on Irrigation and Water Rights.

House Bill No. 117: Introduced by Cummings, Clifford, Gunderson, Murray, Mernin, Beazley: A bill for an act entitled: "An act to provide for the examination and registration of painters; to provide for the supervision and inspection of painting, decorating and paper-hanging, and the adoption and enforcement of minimum standards therefor; to provide for fees for registration of painters and the issuance of permits and renewals thereof to qualified registrants; to provide for the creation by the commissioner of agriculture of a division of the Department of Agriculture, Labor and Industry to carry out such purposes; to provide for the appointment of "painting examiners"; to provide penalties for violations of the provisions of this act; and to provide for the adoption of any city or town within the State of Montana of the minimum rules and regulations passed by such division of the Department of Agriculture, Labor, and Industry and the prescription of rules and regulations in relation thereto, not inconsistent with any provision of this act." Referred to Committee on Labor.

House Bill No. 118: Introduced by Lehrkind: A bill for an act entitled: "An act to amend Section 10536 of the Revised Codes of Montana, 1935, relating to privileged communications and the testimony of certain witnesses by adding thereto an additional subdivision exempting publisher, editors, reporters, or other persons connected with or employed upon a newspaper or news gathering agency." Referred to Committee on Judiciary.

House Bill No. 119: Introduced by Williams, et al: A bill for an act entitled: "An act providing for the elimination of lands from drainage districts that have not or are not benefited by the same and providing for procedure relative thereto." Referred to Committee on Judiciary.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 49 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Cannon, Carlsen, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, Zuck, Mr. Speaker. Total 93.

Absent and not voting: Busch, Clifford, Murray, Nash, Roehl, Tonn, Watson, Welcome, Williams. Total 9.

House Bill No. 10 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou,

Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBente, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 96.

Absent and not voting: Busch, Byrne, Hunter, Roehl, Watson, Welcome. Total 6.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Ballard in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 30 be amended as follows:

Amend the title by inserting in line 2 thereof, after the word "the" and before the word "elementary" the word "public";

Amend Section 1 by striking from line 3 the word "accredited" and inserting in lieu thereof the word "public" and by inserting in line 5 after the word "the" and before the word "elementary" the word "public".

Amend Section 2 by striking from line 2 the word "accredited" and insert in lieu thereof the words "public, elementary, and secondary".

Amend Section 2, line 4, by omitting the period after the word "Education" and adding the words "from an accredited four-year institution."

And that House Bill No. 30 do pass as amended.

That consideration of House Bills Nos. 38 and 43 be passed for the day.

That House Bill No. 22 be amended as follows:

Amend Section 1, line 6 by adding after the word "of" and before the word "four" the words "not exceeding";

Amend Section 2 by striking all the words after the word "bear" in lines six and seven and adding the following words: "interest at such a percent per annum as may be determined by the Board of County Commissioners of each county not exceeding four and one-half per cent (4½%) per annum.

And that the same do pass, as amended.

That consideration of House Bill 16 and Senate Joint Memorial No. 1 be passed for the day.

BALLARD, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Hammond: A bill for an act entitled: "An act to amend Section 557 of the Revised Codes of Montana of 1935, as amended by Section 5 of Chapter 172, Session Laws of the Twenty-fifth Legislative Assembly, 1937, relating to deputy registrars; providing for their appointment and compensation."

By Hammond: A bill for an act entitled: "An act to amend Section 593 of the Revised Codes of Montana of 1935, relating to the appointment and term of clerks of election, and appointment of judges of election to fill vacancies which may occur in any precinct within the county."

By Committee on Banks and Banking: A bill for an act entitled: "An act to amend Section 8312 of the Revised Codes of Montana of 1935, relating to pledgee's sale of securities, and repealing all acts and parts of acts in conflict herewith."

By Committee on Banks and Banking: A bill for an act entitled: "An act to amend Section 4175 of the Revised Codes of Montana of 1935, relating to and defining wage brokers, and repealing all acts and parts of acts in conflict herewith."

By Committee on Banks and Banking: A bill for an act entitled: "An act to amend Section 6014.123 of the Revised Codes of Montana of 1935, relating to and prohibiting the giving of security for deposits by banks, and repealing all acts and parts of acts in conflict herewith."

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday, January 30, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-FIFTH DAY

House of Representatives,
Helena, Montana,
January 30, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except the following who were excused: Anderson, Watson, Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-fourth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By O'Brien, Loughran, Ballard, Mernin, Spiegel, Murray, Clifford, McGreevey, Curran, Cannon, Freshman. A bill for an act entitled: "An act to amend Sections 44 and 45 of the Revised Codes of Montana of 1935, relating to the apportionment of membership of the House of Representatives; providing for representative districts; their number and description and the number of members allotted each representative district."

By Committee on Military Affairs: A bill for an act entitled: "An act relating to the Montana Armory Board, amending Section 4 of Chapter

161 of the Session Laws of 1939, validating acts, proceedings and bonds issued by it eligible for deposits to secure public funds and for the investment of funds of insurance companies, public sinking funds and public and private trusts, including the Montana trust and legacy fund."

By Committee on Military Affairs: A bill for an act entitled: "An act relating to sites and buildings suitable for armory purposes and the leasing thereof by the State of Montana and by counties and other political sub-divisions and municipalities."

By Murray and Clifford by request: A bill for an act entitled: "An act to amend Sections 4824 and 4824.1 of the Revised Codes of Montana, 1935, creating and prescribing performance of the duties of the office of county auditor, Sections 4741, 4867, 4873, 4875 and 4880 of the Revised Codes of Montana, 1935, and Section 466 of the Revised Codes of Montana, 1935, as amended by Chapter 66 of the Session Laws of 1939, relating to the classification of counties for the purpose of regulating the compensation and salaries of all county officers, not otherwise provided for, and the appointment and compensation of their deputies, and for fixing the amount of such officers' and deputies' bonds; and repealing Sections 4870 and 4871 of the Revised Codes of Montana, 1935, and all other acts and parts of acts in conflict herewith."

By Lippard: A bill for an act entitled: "An act to amend Sections 1 and 2 of Chapter 94 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the amount of license tax levied and to be collected and paid on all persons, associations, or corporations owning or operating a telephone business in this state."

By McKenna: A bill for an act entitled: "An act to amend Section 2208.1 of the Revised Codes of Montana of 1935, as amended by Chapter 193 of the Laws of 1939, relative to the sale of tax lands, sale on terms, the taxation of lands and the exchange of unsold land, by authorizing the county to lease farming lands for a period that shall not extend over five years."

By James, Scott, LeBonte, Laubach, Tyler, Beck, Hageman, Newell, Allen: A bill for an act entitled: "An act to amend Section 1010-A and Section 1262.44-A Revised Codes of Montana, 1935, as enacted by Chapter 217 of the Session Laws of the State of Montana, 1939, and to amend Sections 1013, 1262.81 and 1263.8 Revised Codes of Montana 1935, all relating to the attendance of elementary and high school pupils at schools outside of the districts and counties in which they reside: providing for the payment of transportation, or board, rent and tuition for such pupils, for the adoption of budgets therefor and for transfer of budget appropriations and apportionments to the school districts in which they attend school."

By Esp: A memorial entitled: "A memorial to the Congress of the United States requesting the enactment of appropriate legislation giving the counties of the State of Montana the power to tax nationally owned land within their borders."

By Byrne: A bill for an act entitled: "An act to amend Section 4761, Revised Codes of Montana of 1935, relating to monthly statement of the County Treasurer and quarterly settlement by County Treasurer, and repealing Section 2174, Revised Codes of Montana of 1935."

By Harrison, Hunter, Toomey, Lehrkind and Byrne: A bill for an act entitled: "An act to amend Section 2112.1 of the Revised Codes of Montana of 1935, relating to the assessment and taxation of the property of insurance companies required by law to have and maintain a legal reserve for the protection of policy holders."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 30 and 22.

SAYLOR, Chairman.

Report adopted.

I have examined House Bill No. 30 introduced by me and find the same to be correct.

DILLAVOU.

I have examined House Bill No. 22 introduced by me and find the same to be correct.

HELDING.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 16, respectfully report as follows: That Senate Bill No. 16 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 107, respectfully report as follows: That House Bill No. 107 do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 be amended by striking out from Sub-division 3 thereof on Page 1 of the original bill, Line 32, and Line 1 on Page 2 of the original bill (being lines 17 and 18 of the printed bill) the following words, "the basis of such value and shall be conclusive." and by inserting in lieu thereof the words "prima facie evidence of such value." And that as amended the same do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 do pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 be referred to the Committee on Labor.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 be re-referred to the Committee on Judiciary.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 be amended as follows: Lines 9, 10, and 11, Page 2 all new matter be struck out. Lines 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33, Page 2 be underlined. Lines 1, 2, 3, 4, 5, 6, and 7, be underlined, Page 3. The word public be inserted before the word, library, and after the word, every, in line 9, page 3. The words, serving a community or region having, be struck out of Lines 9 and 10, page 3 and the words in cities be inserted in their place. Except be inserted in line 10 in place of the word and, before in and after population and a semi-colon be placed after the word population in line 10, page 3. In line 11 change the comma to a period after authority, page 3. In lines 11 and 12, page 3 strike out the words, except the state law library. Line 12, page 3, the word public be inserted after such and before library. Line 18, page 3, and at such other times be underlined. All of Section 2, page 3, be struck out. Section 3, page 3, be made Section 2. Section 4, page 3, be struck out. And, as amended, do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration Senate Joint Memorial No. 4, respectfully report as follows: That Senate Joint Memorial No. 4 be concurred in.

AHERN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14 do pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 do not pass, but that Substitute House Bill No. 13: A bill for an act entitled: "An act to amend Section 587 of the Revised Codes of the State of Montana of 1935, as amended by Chapter 61, Session Laws of the State of Montana, 1937, relating to the judges of election and their appointments." Do pass.

BJORNEBY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read three several times and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bills Nos. 3 and 26;
Senate Joint Memorials Nos. 5 and 6;
Senate Joint Resolution No. 2.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Parker of Cascade, duly seconded and carried, that House Bill No. 116 be taken from the Committee on Irrigation and Water Rights and referred to the Committee on Affairs of Cities.

It was moved by Scott, duly seconded and carried, that consideration of House Bill No. 54 be passed for the day.

It was moved by Lippard, duly seconded and carried, that consideration of Substitute House Bill No. 9 be passed for the day.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 120: Introduced by Hammond: A bill for an act entitled: "An act to amend Section 557 of the Revised Codes of Montana of 1935, as amended by Section 5 of Chapter 172, Session Laws of the Twenty-fifth Legislative Assembly, 1937, relating to deputy registrars; providing for their appointment and compensation." Referred to Committee on Privileges and Elections.

House Bill No. 121: Introduced by Hammond: A bill for an act entitled: "An act to amend Section 593 of the Revised Codes of Montana of 1935, relating to the appointment and term of clerks of election, and appointment of judges of election to fill vacancies which may occur in any precinct within the county." Referred to Committee on Privileges and Elections.

House Bill No. 122: Introduced by Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to appropriate twenty thousand dollars (\$20,000.00) per annum to aid in the continuation of the co-operative work now being carried on by the Montana Livestock Commission and the United States Department of the Interior, Fish and Wildlife Service, in the control of predatory animals in the State of Montana and said funds to be subject to the order of the Livestock Commission of the State of Montana." Referred to Committee on Appropriations.

House Bill No. 123: Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend Section 3 of Chapter 116 of the Laws of 1937 relative to the resignation of state, county and other officers who become candidates for another office and providing exceptions, by including district judges who become candidates for chief justice or associate justice of the supreme court in the exceptions to the act." Referred to Committee on Judiciary.

House Bill No. 124: Introduced by Saylor, Nelson, Miller: A bill for an act entitled: "An act providing for the appointment of deputies to county officers in counties of the seventh class having less than 2,000 population,

and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Economy.

House Bill No. 125: Introduced by Banks and Banking Committee: A bill for an act entitled: "An act to amend Section 4175 of the Revised Codes of Montana of 1935, relating to and defining wage brokers, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 126: Introduced by Banks and Banking Committee: A bill for an act entitled: "An act to amend Section 6014.123 of the Revised Codes of Montana of 1935, relating to and prohibiting the giving of security for deposits by banks, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banks and Banking.

House Bill No. 127: Introduced by Banks and Banking Committee: A bill for an act entitled: "An act to amend Section 8312 of the Revised Codes of Montana of 1935, relating to pledgee's sale of securities, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Joint Resolution No. 2: Introduced by Committee on Employment: A joint resolution entitled: "A joint resolution declaring an emergency to exist up to and including March 6, 1941 and providing for the compensation and employment of additional help in addition to the employees enumerated in Section 62 of the Revised Codes of Montana for 1935 for the Senate during the Twenty-seventh Legislative Assembly of the State of Montana pursuant to the authority granted by Section 77 of the Revised Codes of Montana for 1935 and providing that such additional employment and said emergency shall cease not later than March 6, 1941. Referred to Committee on Employment.

Senate Joint Memorial No. 6: Introduced by Peterson, Plank and Wilson: A joint memorial entitled: "A joint memorial of the Senate and House of Representatives of the State of Montana to the Honorable Claude R. Wickard, Secretary of Agriculture, Washington, D. C., requesting that the agricultural marketing service be directed to take steps leading to the establishment of federal standards grading commercial mustard seed." Referred to Committee on Agriculture.

Senate Joint Memorial No. 5: Introduced by Peterson, Wilson and Plank: A joint memorial entitled: "A joint memorial of the Senate and House of Representatives of the State of Montana to the President of the United States requesting an executive order raising the present tariff on mustard seed, and on mustard meal seed and on oil derived from mustard seed." Referred to Committee on Agriculture.

Senate Bill No. 26: Introduced by Nutt, Ruffcorn, Waldrop, Hammond, Kalberg, Wilcoxon, Mahoney, Plank, Weinschrott, Burke, Robinson: A bill for an act entitled: "An act authorizing the remission of penalties and interest upon redemption of real property from tax sale, if such redemption is made on or before March 1, 1942." Referred to Committee on Revenue and Taxation.

Senate Bill No. 3: Introduced by Simmons: A bill for an act entitled: "An act to amend Section 10149 of the Revised Codes of Montana, 1935, relating to estates less than fifteen hundred dollars to go to wife and minor child or minor children—those less than three thousand dollars be similarly administered." Referred to Committee on Judiciary.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 30 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Aronson, Ballard, Beck, Bjorneby, Blenkner, Burke, Busch, Carlson, Castles, Cummings, Curran, Dillavou, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Lowe, McDaniel, McKenna, McMichael, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Flook, Mr. Speaker. Total 68.

Noes: Banka, Beazley, Byrne, Cannon, Clifford, Cole, Dahlquist, Davey, Dougherty, Friedl, Goodwin, Harken, Loughran, Lynch, McGreevey, Martin of Madison, Martin of Fergus, Mernin, Murray, O'Brien, Parker of Wibaux, Phelan, Simpson, Spiegel, Tonn, Vanek, Zuck. Total 27.

Absent and not voting: Anderson, Armstrong, Eggenberger, Kirscher, Lippard, Watson, Welcome. Total 7.

House Bill No. 22 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Tonn, Toole, Tyler, Zuck, Mr. Speaker. Total 79.

Noes: Burke, Esp, Hazelbaker, Horrigan, Hunter, Lowe, McMichael, O'Brien, O'Connor, Scofield, Simpson, Stevens, Toomey, Vanek, White, Williams, Wilson, Winters. Total 18.

Absent and not voting: Anderson, Armstrong, Lehrkind, Watson, Welcome. Total 5.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Oliver: A bill for an act entitled: "An act to repeal Section 11 of Part 3 of Chapter 82 of the Laws of the Twenty-fifth Legislative Assembly pertaining to the estates of recipients of old-age pensions."

By Goodwin, Oliver, Scofield: A bill for an act entitled: "An act to prohibit the employment of married women by the State of Montana, except in certain instances."

By Ahern and McKenna: A house joint memorial entitled: "A joint memorial to the Congress of the United States of America requesting the enactment of appropriate legislation adopting the principles embodied in what is known as the farmers wheat certificate bill and introduced in the Senate of the Seventy-sixth Congress of the United States of America by the Honorable Burton K. Wheeler and known as Senate Bill 2395."

By Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 1 of Chapter 131 of the Laws of 1939 relating to an act creating a veterans' memorial fund; providing for the appointment and compensation of commissioners; defining duties of the commission; providing for the commission's control of the veterans' memorial fund; providing for the construction and maintenance of a veterans' memorial building."

By O'Brien, Curran, Cummings, Ballard, White: A bill for an act entitled: "An act relating to the licensing of slot machines: defining slot machines: providing for the creating of the Montana Tax Board and making the members of the State Board of Equalization ex-officio the Montana Tax Board: and providing the manner of licensing: allowing cities, towns, and counties to license slot machines in addition to a state license: and for the disposition of fees: prohibiting the operation of slot machines without a license: prohibiting those under the age of majority to play such machines: providing penalties for the violation of this act: repealing all acts and parts of acts in conflict herewith."

By Aronson and Murray: A bill for an act entitled: "An act to amend Section 2, Section 4 and Section 5 of Chapter 198 of the Session Laws of the Twenty-sixth Legislative Assembly relating to the regulating of the speed of motor vehicles on the highways of the State of Montana and fixing exceptions thereto for the purposes of this act."

By O'Brien, Curran, Cummings, Ballard, White: A bill for an act entitled: "An act providing for the licensing, regulation and control of games of chance or other gambling devices; providing for a house gambling license and for a game or table license, and granting to the Montana Tax Board certain powers for the enforcement of this act, and creating the Montana Tax Board and making the members of the State Board of Equalization ex-officio the Montana Tax Board; making certain acts illegal and providing penalties therefor; prohibiting persons under the age of majority from playing at such games; fixing the amount of license fees to be paid for said licenses; providing for the disposal of the proceeds of fees collected under the provisions of this act; permitting cities, towns and counties to levy a license tax in addition to the state license; appropriating funds for the enforcement of the provisions of this act; and repealing all acts and parts of acts in conflict herewith."

Committee on Agriculture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 3566, relating to powers and duties concerning apiculture: Section 3566.1, relating to registration of colonies of honey bees—application blanks and contents: Section 3566.2, relating to registration certificates to be posted: Section 3566.3, relating to registration fee: Section 3566.4, relating to state beekeepers fund—composition and use of, and Section 3566.5, relating to penalties, conferring upon the state entomologist of Montana all powers and duties now by law given to the Commissioner of Agriculture, Labor and Industry, relating to apiculture, regulating the movement of bees into this state: providing any one who allows unsanitary conditions to exist in the operation of any honey house or building shall be guilty of a misdemeanor: requiring a certificate of health to accompany bees in combless packages brought into this state, and providing for the regulation of the movement of bees or equipment within the state, and providing for an appropriation of eight hundred and fifty dollars (\$850.00) to be taken out of moneys in the general fund not otherwise appropriated to carry out the provisions of this act during the period of time commencing April 1, 1941 to June 30, 1941, and repealing all acts and parts of acts in conflict herewith."

By O'Brien, Curran, Cummings, Ballard, White: A bill for an act entitled: "An act to regulate, license, authorize and control games of chance, gambling games and gambling devices; providing for the operation thereof under licenses duly issued by the Montana Tax Board; providing for a license tax and fixing the amount thereof; creating the Montana Tax Board and making the members of the State Board of Equalization ex-officio the Montana Tax Board; granting to the Montana Tax Board certain powers for the enforcement of this act; prohibiting persons under the age of majority from playing at or loitering about such games or from entering or being permitted to enter any house, room or premises wherein any gambling games or gambling devices are operated or conducted; permitting cities,

towns and counties to levy a license tax in addition to the state licenses herein provided for; defining certain words and terms used in this act; prescribing the hours during which games may be played; providing for the suspension and revocation of licenses; authorizing the Montana Tax Board to prescribe and promulgate rules and regulations with statutory effect and granting to said board the power to strictly regulate and control licenses and licensees; providing for hearings by the board and appeals from decisions thereof; providing for the allocation of license fees; providing penalties for the violation of this act; declaring this act to be an emergency measure; and repealing all acts and parts of acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114 do pass.

CLIFFORD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 do pass.

CLIFFORD, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that business on General Orders be deferred until the afternoon session.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Social Security: A bill for an act entitled: "An act to amend Sections 5, 12, 13 and 15 of Chapter 137 of the Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, and to amend Sections 3, 4, 7, 8, 14, and 19 of Chapter 137 of the Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, being the 'unemployment compensation law', entitled: An act providing for unemployment compensation; creating a state unemployment compensation commission; establishing an unemployment compensation fund, and providing for the administration, distribution and investment thereof; providing for the assessment and collection of contributions upon payrolls of employers; creating a state employment service and providing an appropriation therefor; providing penalties for violations."

By Toomey and Spiegel: A bill for an act entitled: "An act to fix the annual compensation of the deputy secretary of state."

By Stevens: A bill for an act entitled: "An act to permit actions at law against the State Highway Commission for injury to property or persons or death due to the negligent construction or maintenance of arterial highways, to provide for the payments of judgments in such cases and to absolve counties and county commissioners from liability in such cases."

By Gunderson: A bill for an act entitled: "An act to amend Chapter 129 of the Session Laws of 1939, of the Public Welfare act of the State of Montana, relating to the definition of ward Indians."

By O'Brien, Loughran, Freshman, Ballard, Curran, White, Cummings: A bill for an act entitled: "An act to amend Section 5766 of the Revised Codes of Montana of 1935, relating to the period of residence required to entitle plaintiff to divorce."

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Beck in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 38 be amended as follows: Amend by striking all of Section 4, and that the same do pass, as amended;

That House Bill No. 43 be amended as follows: Amend by striking all of Section 3, and that the same do pass, as amended;

That House Bill No. 16 do pass;

That Senate Joint Memorial No. 1 be concurred in;

That House Bill No. 11 be amended as follows: Amend by striking all of Section 4, and that the same do pass, as amended.

BECK, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 87, 7, 91, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment, having had under consideration Senate Joint Resolution No. 2, respectfully report as follows: That Senate Joint Resolution No. 2 do pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 be re-referred to Committee on Appropriations.

KIRSCHER, Chairman.

Report adopted.

The Speaker signed Senate Joint Memorials Nos. 2 and 3 in open session.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Beck in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 39 be amended as follows: Amend by striking out the whole of Section 3, and that the same do pass, as amended;

That consideration of House Bill No. 59 be passed for the day;

That House Bill No. 76 do pass;

That House Bill No. 84 do pass;

That House Bill No. 42 be amended as follows: Amend Section 1 by striking out in lines 5 and 6 the words "motor fuel or fuel oils" and inserting in lieu thereof the words "diesel and other motor fuels" and that the same do pass, as amended;

That Senate Bill No. 16 be concurred in;

That Senate Bill No. 17 be concurred in;

That House Bill No. 35 do pass;

That Senate Joint Resolution No. 2 be concurred in;

That Senate Joint Memorial No. 4 be concurred in.

BECK, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 20, 95, 106, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 be re-referred to Committee on Appropriations.

PETERSEN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Cannon, duly seconded and carried, that House Bill No. 11 be taken from the Committee on Engrossing and placed on General Orders.

It was moved by Morrow, duly seconded and carried, that House Bill No. 59 be taken from General Orders and re-referred to the Committee on Judiciary.

THIRD READING

Senate Joint Resolution No. 2, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Mar-

tin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 92.

Absent and not voting: Anderson, Burke, Busch, Eggenberger, Goodwin, Lehrkind, Morrow, Parker of Flathead, Watson, Welcome. Total 10.

It was moved by Byrne, duly seconded and carried, that further consideration of business on Third Reading and General Orders be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Friday, January 31st, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-SIXTH DAY

House of Representatives,
Helena, Montana,
January 31, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Lehrkind, Watson, Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-fifth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By James by request: A bill for an act entitled: "An act to amend Section 11371 of the Revised Codes of Montana of 1935, defining grand larceny by including in said definition the taking of wheat, flax or mustard seed."

By Parker of Flathead: A bill for an act entitled: "An act limiting the civil liability of owners and operators of motor vehicles for personal injury or property damage to guests, repealing Sections 1748.1 through 1748.4, Revised Codes of Montana, 1935, and all other acts or parts of acts in conflict herewith."

By Antrim: A bill for an act entitled: "An act to amend Section 2778.6 and 2778.7 of the Revised Codes of Montana, 1935, relating to the protection of forest lands within the State of Montana; duty to remove slashings; slashings lien."

By Allen: A bill for an act entitled: "An act to repeal Sections 1763.9 and 1763.10 of the Revised Codes of Montana of 1935, relating to the auto theft fund and the employment of a deputy by the registrar of motor vehicles to enforce the provisions of the motor vehicle registration act."

By Rice: A bill for an act entitled: "An act to prohibit any agent of the state, person, persons, department or other agency of the state to pay out any public moneys or funds for any insurance on any buildings or other property belonging to or under the control and use of the state, except motor propelled vehicles owned by the state and being operated for the benefit of the state or any department, institution, board or other agency of the state, and providing that in case any building or other property belonging to the state or any agency thereof shall be damaged as herein set forth, that the department or agency having control or custody of such property shall certify to the Board of Examiners the amount of such damage, and providing that the Board of Examiners may contract for the repair of any buildings so damaged, and appropriating one hundred thousand dollars (\$100,000.00) from the General Fund, or so much thereof as may be necessary to pay for any repairs that may be necessary as a result of any such damage."

By Antrim: A bill for an act entitled: "An act to amend Section 3745 of the Revised Codes of Montana 1935, providing for a guide's license fee, the qualifications of guide, the content of the license, and providing reciprocity insofar as residential requirements are necessary to states granting reciprocity to guides licensed in the State of Montana, limiting such reciprocity to counties bordering a state adjacent to the State of Montana."

By Toomey: A bill for an act entitled: "An act to improve, simplify and expedite the administration of justice in the supreme, district and justice courts of the State of Montana by authorizing the supreme court of the State of Montana to prescribe general rules for the district and justice courts, the forms of process, writs, pleadings, motions, orders and the practice and procedure in civil actions at law, including provisional remedies, trials, executions, special proceedings, and all writs, in all cases, subject to the provisions of the constitution of the State of Montana, all to the end of abrogating multiple systems of civil procedure, securing in fact one form of civil action, eliminating litigation of procedure instead of substantive rights, and diminishing the burdens of litigation; providing for collaboration of district judges and court officers therein and to repeal Chapters 23 to 89, (embracing Sections 8995 to 9835) inclusive and Chapters 91 to 94, (embracing Sections 9836 to 9867) inclusive, of the Code of Civil Procedure, Revised Codes of Montana, 1935, as amended or supplemented, effective at the operative date of said rules in 1941."

By Toomey: A bill for an act entitled: "An act to amend Sections 9399 and 9400, Revised Codes of Montana, 1935, relating to motions for new trial, abolishing notices of intention of motion for new trial, and regulating proceedings on motion, hearings and record thereon."

By Toomey: A bill for an act entitled: "An act to amend Section 9389, Revised Codes of Montana, 1935, relating to bills of exception made at time of ruling and also Section 9390, Revised Codes of Montana, 1935, relating to bills of exception made after judgment; providing when bills of exception need not be, and when bills must be, prepared, contents, settlement and authentication thereof, and to transcripts on appeal."

By Toomey: A bill for an act entitled: "An act to amend Section 9416, Revised Codes of Montana, 1935, relating to issuance of executions on judgments, and stay of the operation and effect thereof, and providing when the district or supreme court may preserve the subject matter of an action during the course thereof and on appeal, and clarifying the law relating thereto."

By Toomey: A bill for an act entitled: "An act to amend Sections 9367, 9369, 9370, and 9371, Revised Codes of Montana, 1935, relating to findings of fact and conclusions of law and entry of judgment thereon, when reversals may be had for defective findings, exceptions thereto and proceedings thereon."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 42, 39, 43, 38, 35, 76, 84, 16.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 90, 101, 103, and Substitute House Bill No. 13, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 do pass.

ARONSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 do not pass.

VANEK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 123, respectfully report as follows: That House Bill No. 123 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 be referred to the Judiciary Committee.

CLIFFORD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 be re-referred to the Committee on Highways and Transportation.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 110, respectfully report as follows: That House Bill No. 110 do pass.

MURRAY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 be amended to read as follows: Insert a new Section 4, as follows: "Section 4. The owner of any property liable to be assessed for water service as herein contemplated may at any time serve notice in writing on the water department that he wishes the water turned

off and service to his property discontinued. Immediately upon receipt of such notice the water department shall turn off the water and the property shall not be liable for water service from the date of the said turn-off to or until the property owner shall notify the water department in writing that he wishes the water turned on again and service to his property re-established." And re-number Section 4 as Section 5; Section 5 as Section 6; Section 6 as Section 7, Section 7 as Section 8; and Section 8 as Section 9. Do pass, as amended.

HESS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 1, by Toomey, et. al. was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Dougherty, duly seconded and carried, that consideration of House Bill No. 106 be passed for the day.

It was moved by Cannon, duly seconded and carried, that consideration of Substitute House Bill No. 9 be passed for the day.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 128: Introduced by Goodwin, Oliver, Scofield: A bill for an act entitled: "An act to prohibit the employment of married women by the State of Montana, except in certain instances." Referred to Committee on State Boards and Offices.

House Bill No. 129: Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 3566, relating to powers and duties concerning apiculture; Section 3566.1, relating to registration of colonies of honey bees—application blanks and contents; Section 3566.2, relating to registration certificates to be posted; Section 3566.3 relating to registration fee; Section 3566.4, relating to state beekeepers fund—composition and use of, and Section 3566.5, relating to penalties, conferring upon the state entomologist of Montana all powers and duties now by law given to the Commissioner of Agriculture, Labor and Industry, relating to apiculture; regulating the movement of bees in this state; providing any one who allows unsanitary conditions to exist in the operation of any honey house or building shall be guilty of a misdemeanor; requiring a certificate of health to accompany bees in combless packages brought into this state, and providing for the regulation of the movement of bees or equipment within the state, and providing for an appropriation of eight hundred and fifty dollars (\$850.00) to be taken out of moneys in the General Fund not otherwise appropriated to carry out the provisions of this act during the period of time commencing April 1, 1941, to June 30, 1941 and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 130: Introduced by Toomey and Spiegel: A bill for an act entitled: "An act to fix the annual compensation of the deputy secretary of state." Referred to Committee on State Boards and Offices.

House Bill No. 131: Introduced by Toomey, Byrne, Lehrkind, Hunter, Harrison: A bill for an act entitled: "An act to amend Section 2112.1 of the Revised Codes of Montana of 1935, relating to the assessment and taxation of the property of insurance companies required by law to have and maintain a legal reserve for the protection of policy holders." Referred to Committee on Insurance.

House Bill No. 132: Introduced by Murray and Clifford: A bill for an act entitled: "An act to amend Sections 4824 and 4824.1 of the Revised Codes of Montana, 1935, creating and prescribing performance of the duties of the office of County Auditor, Sections 4741, 4867, 4873, 4875, and 4880 of the Revised Codes of Montana, 1935, and Section 466 of the Revised Codes of Montana, 1935, as amended by Chapter 66 of the Session Laws of 1939, relating to the classification of counties for the purpose of regulating the compensation and salaries of all county officers, not otherwise provided for, and the appointment and compensation of their deputies, and for fixing the amount of such officers' and deputies' bonds; and repealing Sections 4870 and 4871 of the Revised Codes of Montana, 1935, and all other acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 133: Introduced by Byrne: A bill for an act entitled: "An act to amend Section 4761, Revised Codes of Montana of 1935, relating to monthly statement of the County Treasurer and quarterly settlement by County Treasurer, and repealing Section 2174, Revised Codes of Montana of 1935." Referred to Committee on Townships and Counties.

House Bill No. 134: Introduced by O'Brien, Freshman, Loughran, Ballard, White, Mernin, Spiegel, Curran: A bill for an act entitled: "An act to amend Sections 44 and 45 of the Revised Codes of Montana of 1935, relating to the apportionment of membership of the House of Representatives; providing for representative districts; their number and description and the number of members allotted each representative district." Referred to Committee on Apportionment and Representation.

House Bill No. 135: Introduced by O'Brien, Curran, Cummings, Ballard, White: A bill for an act entitled: "An act providing for the licensing, regulation and control of games of chance or other gambling devices; providing for a house gambling license and for a game or table license, and granting to the Montana Tax Board certain powers for the enforcement of this act, and creating the Montana Tax Board and making the members of the State Board of Equalization ex-officio the Montana Tax Board; making certain acts illegal and providing penalties therefor; prohibiting persons under the age of majority from playing at such games; fixing the amount of license fees to be paid for said licenses; providing for the disposal of the proceeds of fees collected under the provisions of this act; permitting cities, towns and counties to levy a license tax in addition to the state license; appropriating funds for the enforcement of the provisions of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 136: Introduced by O'Brien, Curran, Cummings, Ballard, White: A bill for an act entitled: "An act to regulate, license, authorize and control games of chance, gambling games and gambling devices; providing for the operation thereof under licenses duly issued by the Montana Tax Board; providing for license tax and fixing the amount thereof; creating the Montana Tax Board and making the members of the State Board of Equalization ex-officio the Montana Tax Board; granting to the Montana Tax Board certain powers for the enforcement of this act; prohibiting persons under the age of majority from playing at or loitering about such games or from entering or being permitted to enter any house, room or premises wherein any gambling games or gambling devices are operated or conducted; permitting cities, towns and counties to levy a license tax in addition to the state licenses herein provided for; defining certain words and terms used in this act; prescribing the hours during which games may be

played; providing for the suspension and revocation of licenses; authorizing the Montana Tax Board to prescribe and promulgate rules and regulations with statutory effect and granting to said board the power to strictly regulate and control licenses and licensees; providing for hearings by the board and appeals from decisions thereof; providing for the allocation of license fees; providing penalties for the violation of this act; declaring this act to be an emergency measure; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 137: Introduced by O'Brien, Curran, Cummings, Ballard, White: A bill for an act entitled: "An act relating to the licensing of slot machines: defining slot machines: providing for the creating of the Montana Tax Board and making the members of the State Board of Equalization ex-officio the Montana Tax Board: and providing the manner of licensing: allowing cities, towns and counties to license slot machines in addition to a state license: and for the disposition of fees: prohibiting the operation of slot machines without a license: prohibiting those under the age of majority to play such machines: providing penalties for the violation of this act: repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 138: Introduced by O'Brien, Loughran, Freshman, Ballard, Cummings, White, Curran: A bill for an act entitled: "An act to amend Section 5766 of the Revised Codes of Montana of 1935, relating to the period of residence required to entitle plaintiff to divorce." Referred to Committee on Judiciary.

House Bill No. 139: Introduced by Committee on Military Affairs: A bill for an act entitled: "An act relating to sites and buildings suitable for armory purposes and the leasing thereof by the State of Montana and by counties and other political sub-divisions and municipalities." Referred to Committee on Military Affairs.

House Bill No. 140: Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to amend Section 1 of Chapter 131 of the Laws of 1939 relating to an act creating a veterans' memorial fund; providing for the appointment and compensation of commissioners; defining duties of the commission; providing for the commission's control of the veterans' memorial fund; providing for the construction and maintenance of a veterans' memorial building." Referred to Committee on Military Affairs.

House Bill No. 141: Introduced by McKenna: A bill for an act entitled: "An act to amend Section 2208.1 of the Revised Codes of Montana of 1935, as amended by Chapter 193 of the Laws of 1939, relative to the sale of tax lands, sale on terms, the taxation of lands sold, the leasing of lands and the exchange of unsold land, by authorizing the county to lease farming lands for a period that shall not extend over five years." Referred to Committee on Townships and Counties.

House Bill No. 142: Introduced by Committee on Military Affairs: A bill for an act entitled: "An act relating to the Montana Armory Board, amending Section 4 of Chapter 161 of the Session Laws of 1939, validating acts, proceedings and bonds issued by it eligible for deposits to secure public funds and for the investment of funds of insurance companies, public sinking funds and public and private trusts, including the Montana trust and legacy fund." Referred to Committee on Judiciary.

House Bill No. 143: Introduced by Gunderson: A bill for an act entitled: "An act to amend Chapter 129 of the Session Laws of 1939, of the Public Welfare Act of the State of Montana, relating to the definition of ward Indians." Referred to Committee on Social Security.

House Bill No. 144: Introduced by James, Scott, LaBonte, Laubach, Tyler, Beck, Hageman, Newell, Allen: A bill for an act entitled: "An act

to amend Section 1010-A and Section 1262.44-A Revised Codes of Montana 1935, as enacted by Chapter 217 of the Session Laws of the State of Montana, 1939, and to amend Sections 1013, 1262.81 and 1263.8 Revised Codes of Montana 1935, all relating to the attendance of elementary and high school pupils at schools outside of the districts and counties in which they reside; providing for the payment of transportation, or board, rent and tuition for such pupils, for the adoption of budgets therefor and for transfer of budget appropriations and apportionments to the school districts in which they attend school." Referred to Committee on Education.

House Bill No. 145: Introduced by Wilson, Reed and Scofield: A bill for an act entitled: "An act providing for the licensing and bonding of livestock dealers; defining livestock dealers under the provisions of this act; providing for the collection of fees, and providing for the enforcement of this act and penalties for the violation thereof." Referred to Committee on Livestock and Public Ranges.

House Bill No. 146: Introduced by Dillavou, Beazley, Vanek, Williams, Martin of Madison, Toomey, Curran, Nash: A bill for an act entitled: "An act providing for the retirement of municipal water works employees of incorporated cities and towns in the State of Montana; providing for the creation of a fund to be known as the 'water works employees retirement fund' in such cities and towns; providing for the monthly payment of retirement salaries to the said water works employees in consideration for past services and for any future services that may be rendered in an advisory capacity; providing for the suspension or discharge of incompetent employees; providing for a method of filing complaints against employees and providing for the arbitration and settlement of charges filed against any employee and prohibiting the final discharge of employees without a hearing; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 147: Introduced by Oliver: A bill for an act entitled: "An act to repeal Section 11 of Part 3 of Chapter 82 of the Laws of the 25th Legislative Assembly pertaining to the estates of recipients of old-age pensions." Referred to Committee on Social Security.

House Bill No. 148: Introduced by Aronson and Murray: A bill for an act entitled: "An act to amend Section 2, Section 4, and Section 5 of Chapter 198 of the Session Laws of the Twenty-sixth Legislative Assembly relating to the regulating of the speed of motor vehicles on the highways of the State of Montana and fixing exceptions thereto for the purposes of this act." Referred to Committee on Highways and Highway Transportation.

House Joint Memorial No. 5: Introduced by Ahern and Laubach, Reed, McKenna, Anderson, Hess, Beck, Gunderson: A memorial entitled: "A memorial to the Congress of the United States of America requesting the enactment of appropriate legislation adopting the principles embodied in what is known as the farmers wheat certificate bill and introduced in the Senate of the Seventy-sixth Congress of the United States of America by the Honorable Burton K. Wheeler and known as Senate Bill 2395." Referred to Committee on Federal Relations.

House Joint Memorial No. 6: Introduced by Esp and Toomey: A memorial entitled: "A memorial to the Congress of the United States requesting the enactment of appropriate legislation giving the counties of the State of Montana the power to tax nationally owned land within their borders." Referred to Committee on Townships and Counties.

The Speaker signed Senate Joint Resolution No. 2 in open session.

MOTIONS AND RESOLUTIONS

It was moved by Martin of Fergus, duly seconded and carried, that Senate Joint Memorial No. 1 be taken from Third Reading and referred to the Committee on Federal Relations.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 16 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, LeBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, White, Wilson, Zuck, Miller, Mr. Speaker. Total 89.

Noes: Williams: Total 1.

Absent and not voting: Byrne, Freshman, Horrigan, Kemmis, Kirscher, Lehrkind, Parker of Flathead, Rice, Toole, Watson, Welcome, Winters. Total 12.

Senate Bill No. 17 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 89.

Noes: Tonn. Total 1.

Absent and not voting: Banka, Byrne, Dillavou, Kemmis, Kirscher, Lehrkind, Parker of Flathead, Rasmussen, Rice, Toole, Watson, Welcome. Total 12.

Senate Joint Memorial No. 4 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 92.

Noes: Harrison. Total 1.

Absent and not voting: Byrne, Cannon, Cole, Kemmis, Lehrkind, Parker of Flathead, Toole, Watson, Welcome. Total 9.

It was moved by Armstrong, duly seconded and carried, that consideration of Third Reading and General Orders be deferred until the afternoon session.

It was moved by Armstrong, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Toomey by request: A bill for an act entitled: "An act relating to public health and sanitation, defining mattresses, regulating the making, remaking, and sale thereof, prohibiting the use of insanitary or unhealthful materials therein, providing for the proper labeling thereof, and providing penalties for violations thereof."

By Committee on Revenue and Taxation: A bill for an act entitled: "An act regulating the operation of music boxes, mechanical player pianos and other automatic machines and devices for the production of music, pictures or speech; providing for the licensing of same by the State Board of Equalization; fixing the amount of such license fees; defining the terms used in this act; providing penalties for the violation of this act; authorizing confiscation of unlicensed music boxes, pianos, machines and devices and making certain provisions of the Revised Codes of Montana of 1935 applicable to such confiscation proceedings."

By Anson: A bill for an act entitled: "An act to amend Section 2524 of the Revised Codes of Montana of 1935, relating to certified copies of records—fees."

By Anson: A bill for an act entitled: "An act to amend Sections 4912 and 4917 of the Revised Codes of Montana of 1935, relating to the fees of public officers in the State of Montana."

By Vanek: A bill for an act entitled: "An act to amend Section 1760 of the Revised Codes of Montana of 1935, as amended by Chapter 138 of the laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same, and fees for trailers and semi-trailers, so as to provide that fifty (50) per cent of the net fee derived from the registration of motor vehicles, the owners of which reside within the boundaries of any incorporated city or town of the State of Montana shall be paid over by the County Treasurer to the Treasurer, or other authorized fiscal officer, of such incorporated city or town, for the use of the street fund of such city or town and to be controlled and disbursed by such city or town as part of its street fund."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 7, respectfully report as follows: That Senate Bill No. 7 be concurred in.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 26, respectfully report as follows: That Senate Bill No. 26 be referred to Judiciary Committee.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 130, respectfully report as follows: That House Bill No. 130 be printed and placed on General Orders without recommendation.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 be amended as follows: In line 24, page 1 of the bill, after the word "Counties" strike out the following words: "where the population exceeds twelve thousand." And insert in place of the words stricken out, the following: "having a total registered vote of fifteen thousand (15,000) or over at the last general election." In lines 26 and 27, page 1, strike out the words and figures: "Three Thousand and no/100 (\$3,000.00) Dollars," and insert in place of the words and figures stricken out, the words and figures "Two Thousand Four Hundred and no/100 (\$2,400.00) Dollars." And recommend that the bill thus amended do pass.

PETERSEN, Chairman.

Report adopted.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 42 was passed by the following vote:

Ayes: Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Busch, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Tyler, Vanek, White, Wilson, Winters, Zuck, Hammond, Mr. Speaker. Total 77.

Noes: Esp, Scofield. Total 2.

Absent and not voting: Ahern, Allen, Anderson, Blenkner, Burke, Byrne, Dillavou, Freshman, Goodwin, Kemmis, Lehrkind, Lippard, Morrow, Newell, O'Brien, O'Connor, Oliver, Rice, Toole, Toomey, Watson, Welcome, Williams. Total 23.

House Bill No. 39 was passed by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjerneby, Busch, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Mc-

Michael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Connor, Parker of Wibaux, Oliver, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Tonn, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 79.

Absent and not voting: Ahern, Allen, Banka, Blenkner, Burke, Byrne, Dillavou, Dougherty, Freshman, Horrigan, Kemmis, Laubach, Lehrkind, Lippard, Morrow, O'Brien, Parker of Flathead, Rice, Stevens, Toole, Toomey, Watson, Welcome. Total 23.

House Bill No. 43 was passed by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Ahern, Allen, Blenkner, Burke, Byrne, Dillavou, Dougherty, Kemmis, Lehrkind, Lippard, Morrow, Rice, Toole, Toomey, Watson, Welcome. Total 16.

House Bill No. 38 was passed by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjorneby, Busch, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 79.

Absent and not voting: Ahern, Allen, Banka, Blenkner, Burke, Byrne, Cannon, Clifford, Dillavou, Dougherty, Horrigan, Kemmis, Lehrkind, Lippard, Morrow, Murray, O'Connor, Rice, Toole, Toomey, Tyler, Watson, Welcome. Total 23.

House Bill No. 35 was passed by the following vote:

Ayes: Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 80.

Noes: Lowe. Total 1.

Absent and not voting: Ahern, Allen, Anderson, Blenkner, Burke, Byrne, Cannon, Carlson, Cummings, Dillavou, Kemmis, Lehrkind, Lippard, Morrow, Murray, O'Connor, Rice, Toole, Toomey, Watson, Welcome. Total 21.

House Bill No. 76 was passed by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, Kirscher, Laubach, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 73.

Noes: Esp, Goodwin, Loughran, O'Brien, Tonn, Mr. Speaker. Total 6.

Absent and not voting: Ahern, Allen, Blenkner, Burke, Byrne, Cannon, Clifford, Dillavou, Freshman, James, Kemmis, LaBonte, Lehrkind, Lippard, Morrow, O'Connor, Oliver, Reed, Rice, Toole, Toomey, Watson, Welcome. Total 23.

House Bill No. 84 was passed by the following vote:

Ayes: Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Carlson, Castles, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nelson, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 77.

Noes: Antrim, Freshman, Friedl, Mr. Speaker. Total 4.

Absent and not voting: Ahern, Allen, Blenkner, Burke, Byrne, Cannon, Clifford, Cole, Dillavou, Kemmis, Lehrkind, Morrow, Murray, Nash, Oliver, Reed, Rice, Toole, Toomey, Watson, Welcome. Total 21.

House Bill No. 16 was passed by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Tyler, Vanek, White, Williams, Winters, Zuck, Mr. Speaker. Total 79.

Noes: Busch and Saylor. Total 2.

Absent and not voting: Ahern, Allen, Blenkner, Burke, Byrne, Cannon, Dillavou, Gebhardt, Horrigan, Kemmis, Lehrkind, Morrow, O'Connor, Oliver, Reed, Rice, Toole, Toomey, Watson, Welcome, Wilson. Total 21.

CONSIDERATION OF GENERAL ORDERS

It was moved by Armstrong, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Kirscher in the Chair. Committee arose.

House resumed. Speaker pro tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend: That House Bill No. 54 do pass.

That House Bill No. 11 be amended as follows: Amend by adding a new section to read as follows: "Section 5. This act shall be in full force and effect from and after its passage and approval." And that the same do pass as amended.

That House Bill No. 20 do pass.

That House Bill No. 7 do pass.

That House Bill No. 91 do pass.

That House Bill No. 95 do pass.

That consideration of Senate Bill No. 7 be passed for the day.

KIRSCHER, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 14, 107, 114, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

It was moved by Armstrong, duly seconded and carried, that the House adjourn until 10:30 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-SEVENTH DAY

House of Representatives,
Helena, Montana,
February 1, 1941.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members present except the following who were excused: Horrigan, Lehrkind, Watson, Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-sixth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Joint Resolution No. 1.

COLE, Chairman.

I have examined House Joint Resolution No. 1, introduced by me and find the same to be correct.

TOOMEY, Chairman.

The speaker signed House Joint Resolution No. 1 in open session.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Phelan: A bill for an act entitled: "An act to amend Section 4250 of the Revised Codes of Montana, 1939, relating to weights and measures."

By Stevens, McGreevey, Parker of Cascade, Gunderson, O'Brien, Mer-nin, McKenna, Hess, Banka, Zuck, Davey, Tyler, Parker of Wibaux, Scofield, Ahern, Oliver, Petersen, Aronson, Holding, Nash, Martin of Fergus, Dahl-quist, Beazley, Castles, Fewkes, Goodwin, Bjerneby, Spiegel, Phelan, Mc-Daniel, Murray, Clifford, Curran, Cummings, Esp, Ballard, Loughran, Flook, Harken, Toole and Freshman: A bill for an act entitled: "An act to ap-propriate money to the State Department of Public Welfare for the pay-ment of old age assistance under the provisions of Chapter Eight-two, Laws of 1937, as amended by Chapter One Hundred Twenty-nine, Laws of 1939, for the period beginning July 1, 1941, and ending June 30, 1943."

By Armstrong, Hazelbaker, Williams, Burke and Hunter: A bill for an act entitled: "An act creating the Montana Board of Medical Examiners, providing for the qualifications, appointments and terms of members there-of, the organization of said board and records thereof; defining the powers and duties of the board, and investing it with authority to supervise and regulate the practice of the profession of medicine and surgery in the State of Montana through a system of licensing and otherwise; authorizing the board to establish a system of examinations for applicants to practice medi-cine and surgery in Montana. Providing for reciprocity under certain circumstances and prescribing certain exceptions; authorizing said board to revoke or suspend licenses, once granted, and to reinstate or restore licenses, and providing judicial review of actions of the board by petition to the district courts of Montana; providing for the recordation of certi-ficates and licenses issued by the board; establishing a system of annual registration, applicants therefor, and prescribing fees to be paid by ap-plicants under the terms of the act; providing for certificates of annual registration; providing penalties for violation of this act and providing for injunctions to restrain the unlawful practice of medicine; containing a separability clause, and repealing Sections 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123 and 3124, Revised Codes of Montana, 1935, and all acts and parts of acts in conflict with this act."

By Stevens: A bill for an act entitled: "An act creating the Montana State Board of Basic Sciences, providing for appointment of members there-for and qualifications of such members, and for the organization of such board; prescribing fees for applicant; providing a system of examinations by said board; issuance of certificate of ability and reciprocity certificates; providing for court review of board actions; and forbidding any person practicing the healing art without receiving a certificate of ability in the basic sciences; prescribing exceptions, and providing penalties for violation of said act."

By Phelan: A bill for an act entitled: "An act to fix the standard classes and grades of mustard seeds, defining same; prescribing the powers

and duties of the Commissioner of Agriculture in connection with the administration and enforcement of the act; defining damaged seeds, dockage, foreign material, fixing a basis of determination of dockage, defining percentages of moisture and percentage of dockage; fixing test weight per bushel; defining certain special grades and providing for a schedule of fees, the disposition of funds and penalties for violation."

By Dougherty: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of, and other purposes as designated herein, for the several units of the Greater University of Montana, known as the Montana State University, Montana State College, experiment stations and sub-stations and extension service thereof, Montana School of Mines, Montana State Normal College at Dillon, Eastern Montana State Normal School at Billings, and Northern Montana College at Havre, and for student fare refunds for the period beginning July 1, 1941, and ending June 30, 1943."

By Laubach: A bill for an act entitled: "An act to amend Section 3656, Revised Codes of Montana of 1935, providing for the appointment of Deputy State Fish and Game Wardens."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 99, 29, 60, 112, 44, 110, 123, 130 beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 20, 7, 91, 54, 11 and 95.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 58, respectfully report as follows: That House Bill No. 58 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 be amended as follows: In line twenty (20) page two (2) of the bill, after the words "salary of" strike out the following words and figures: "Five Thousand (\$5,000.00) and insert in place of words and figures stricken out, the following words and figures: Four Thousand dollars (\$4,000.00)." And recommend that the bill so amended do pass.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Joint Memorial No. 6, respectfully report as follows: That Senate Joint Memorial No. 6 be concurred in.

PHELAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Joint Memorial No. 5, respectfully report as follows: That Senate Joint Memorial No. 5, be concurred in.

PHELAN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 5, by Burke, Dahl, Mulholland, Cotter and Taylor, was this day read third time and passed, title and history agreed to, and bill is herewith transmitted to the House for concurrence.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bill and memorials were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 12, by Hageman.

House Joint Memorial No. 1, by Martin.

House Joint Memorial No. 2, by Rice.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Clifford, duly seconded and carried, that consideration of House Bill No. 87 be passed for the day.

It was moved by Curran, duly seconded and carried, that consideration of House Bill No. 14 be passed for the day.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees: All appropriation measures having been read at length:

Senate Bill No. 5: Introduced by Burke, Dahl, Mulholland, Cotter and Taylor: A bill for an act entitled: "An act to amend Chapter 82 of the Laws of Twenty-fifth Legislative Session, 1937, relating to Public Welfare, but adding thereto a new part to be known as Part IX relating to payments to persons who have silicosis as herein defined; providing eligibility requirements; providing medical examinations and procedure for determining who are entitled to such payments; and providing administration by the State Department of Public Welfare and County Departments of Public Welfare, and prescribing their powers and duties." Committee on Workmen's Compensation.

House Bill No. 149: Introduced by Vanek by request: A bill for an act entitled: "An act to amend Section 1760 of the Revised Codes of Montana of 1935, as amended by Chapter 138 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same, and fees for trailers and semi-trailers, so as to provide that fifty (50) per cent of the net fee derived from the registration of motor vehicles, the owners of which reside within the boundaries of any incorporated city or town of the State of Montana shall be paid over by the County Treasurer to the Treasurer, or other authorized fiscal officer, of such incorporated city or town for the use of the street fund of such city or town and to be controlled and disbursed by such city or town as a part of its street fund." Committee on Affairs of Cities.

House Bill No. 150: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act regulating the operation of music boxes, mechanical player pianos and other automatic machines and devices for the production of music, pictures or speech; providing for the licensing of same by the State Board of Equalization; fixing the amount of such license fees; defining the terms used in this act; providing penalties for the violation of this act; authorizing confiscation of unlicensed music boxes, pianos, machines and devices and making certain provisions of the Revised Codes of Montana of 1935 applicable to such confiscation proceedings." Committee on Revenue and Taxation.

House Bill No. 151: Introduced by Toomey by request: A bill for an act entitled: "An act relating to public health and sanitation, defining mattresses, regulating the making, remaking and sale thereof, prohibiting the use of insanitary or unhealthful materials therein, providing for the proper labeling thereof, and providing penalties for violations thereof." Committee on Public Health and Sanitary Affairs.

House Bill No. 152: Introduced by Rice: A bill for an act entitled: "An act to prohibit any agent of the state, person, persons, department or other agency of the state to pay out any public moneys or funds for any insurance on any buildings or other property belonging to or under the control and use of the state, except motor propelled vehicles owned by the state and being operated for the benefit of the state or any department, institution, board or other agency of the state, and providing that in case any building or other property belonging to the state or any agency thereof shall be damaged as herein set forth, that the department or agency having control or custody of such property shall certify to the Board of Examiners the amount of such damage, and providing that the Board of Examiners may contract for the repair of any buildings so damaged, and appropriating one hundred Thousand dollars (\$100,000.00) from the general fund, or so much thereof as may be necessary to pay for any repairs that may be necessary as a result of any such damage." Committee on Insurance.

House Bill No. 153: Introduced by Antrim: A bill for an act entitled: "An act to amend Section 2778.6 and 2778.7 of the Revised Codes of Montana, 1935, relating to the protection of forest lands within the State of Montana; duty to remove slashings; slashings lien." Committee on Conservation of Resources.

House Bill No. 154: Introduced by Parker of Flathead: A bill for an act entitled: "An act limiting the civil liability of owners and operators of motor vehicles for personal injury or property damage to guests, repealing Sections 1748.1 through 1748.4, Revised Codes of Montana, 1935, and all other acts or parts of acts in conflict herewith." Committee on Judiciary.

House Bill No. 155: Introduced by Allen: A bill for an act entitled: "An act to repeal Sections 1763.9 and 1763.10 of the Revised Codes of Montana of 1935, relating to the auto theft fund and the employment of a deputy by the Registrar of Motor vehicles to enforce the provisions of the motor vehicle registration act." Committee on Highways and Highway Transportation.

House Bill No. 156: Introduced by Antrim: A bill for an act entitled: "An act to amend Section 3745 of the Revised Codes of Montana 1935, providing for a guide's license fee, the qualifications of guide, the content of the license, and providing reciprocity insofar as residential requirements are necessary to states granting reciprocity to guides licensed in the State of Montana, limiting such reciprocity to counties bordering a state adjacent to the State of Montana." Committee on Fish and Game.

House Bill No. 157: Introduced by Toomey: A bill for an act entitled: "An act to amend Sections 9367, 9369, 9370 and 9371, Revised Codes of Montana, 1935, relating to findings of fact and conclusions of law and

entry of judgment thereon, when reversals may be had for defective findings, exceptions thereto and proceedings thereon." Committee on Judiciary.

House Bill No. 158: Introduced by Toomey: A bill for an act entitled: "An act to amend Section 9389, Revised Codes of Montana, 1935, relating to bills of exception made at time of ruling and also Section 9390, Revised Codes of Montana, 1935, relating to bills of exception made after judgment; providing when bills of exception need not be, and when bills must be, prepared, contents, settlement and authentication thereof, and to transcripts on appeal." Committee on Judiciary.

House Bill No. 159: Introduced by Toomey: A bill for an act entitled: "An act to amend Section 9416, Revised Codes of Montana, 1935, relating to issuance of executions on judgments, and stay of the operation and effect thereof, and providing when the district or supreme court may preserve the subject matter of an action during the course thereof and on appeal, and clarifying the law relating thereto." Committee on Judiciary.

House Bill No. 160: Introduced by Toomey: A bill for an act entitled: "An act to improve, simplify and expedite the administration of justice in the supreme, district and justice courts of the State of Montana by authorizing the supreme court of the State of Montana to prescribe general rules for the supreme and justice courts, the forms of process, writs, pleadings, motions, orders and the practice and procedure in civil actions at law, including provisional remedies, trials, executions, special proceedings, and all writs, in all cases, subject to the provisions of the constitution of the State of Montana, all to the end of abrogating multiple systems of civil procedure, securing in fact one form of civil action, eliminating litigation of procedure instead of substantive rights, and diminishing the burdens of litigation; providing for collaboration of district judges and court officers therein and to repeal Chapters 23 to 89, (embracing Sections 8995 to 9835) inclusive and Chapters 91 to 94, (embracing Sections 9836 to 9867) inclusive, of the Code of Civil Procedure, Revised Codes of Montana, 1935, as amended or supplemented, effective at the operative date of said rules in 1943." Committee on Judiciary.

House Bill No. 161: Introduced by Toomey: A bill for an act entitled: "An act to amend Sections 9399 and 9400, Revised Codes of Montana, 1935, relating to motions for new trial, abolishing notices of intention of motion for new trial, and regulating proceedings on motion, hearings and record thereon." Committee on Judiciary.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length:

House Bill No. 20 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 94.

Absent and not voting: Antrim, Eggenberger, Horrigan, Lehrkind, Mernin, Potter, Watson, Welcome. Total 8.

House Bill No. 7 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 95.

Absent and not voting: Antrim, Eggenberger, Horrigan, Lehrkind, Potter, Watson, Welcome. Total 7.

House Bill No. 91 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 93.

Noes: McKenna, Tonn. Total 2.

Absent and not voting: Cummings, Eggenberger, Horrigan, Lehrkind, Potter, Watson, Welcome. Total 7.

House Bill No. 54 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hammond, Harken, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Saylor, Scott, Simpson, Spiegel, Tonn, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 76.

Noes: Blenkner, Burke, Esp, Flook, Goodwin, Hageman, Harrison, Lippard, McKenna, Morrow, Nash, O'Connor, Oliver, Roehl, Scofield, Stevens, Toole, Toomey, Mr. Speaker. Total 19.

Absent and not voting: Cannon, Eggenberger, Horrigan, Lehrkind, Potter, Watson, Welcome. Total 7.

House Bill No. 11 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon,

Carlson, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, White, Williams, Wilson, Winters. Total 87.

Noes: Kemmis, Zuck, Mr. Speaker. Total 3.

Absent and not voting: Armstrong, Cummings, Eggenberger, Horrigan, LaBonte, Laubach, Lehrkind, Parker of Flathead, Potter, Vanek, Watson, Welcome. Total 12.

House Bill No. 95 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Reed, Rice, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 79.

Noes: Cole, Harken, Harrison, Kemmis, Martin of Fergus, Mernin, Murray, Saylor, Tonn. Total 9.

Absent and not voting: Antrim, Banka, Beazley, Cannon, Cummings, Eggenberger, Horrigan, Lehrkind, Potter, Rasmussen, Toole, Vanek, Watson, Welcome. Total 14.

It was moved by Byrne, duly seconded and carried, that consideration of General Orders be deferred until the afternoon session.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Morrow: A bill for an act entitled: "An act to amend Section 5859 of the Revised Codes of Montana of 1935, relating to the consent of a child's parents in adoption proceedings by providing for service of a copy of the petition for adoption on parents who are non-residents of the state by publication, and authorizing a court to make a valid and binding order of adoption without written consent of the parents in such cases, and providing for appeals from the order of the court."

By Busch: A bill for an act entitled: "An act to amend Section 2201 of the Revised Codes of Montana, 1935, relating to the time of redemption from tax sales and decreasing the time therefor."

By Beazley, O'Connor, Newell, Wilson and Toole: A bill for an act entitled: "An act amending Section 3524 Revised Codes of Montana 1935, relating to safety requirements restricting the time of blasting in coal mines."

By Stevens: A bill for an act entitled: "An act to provide for the raising of revenue for the payment of old age pensions by imposing a tax upon the privilege of engaging in the business of retailing tangible personal property; by imposing a tax upon the privilege of engaging in business involving admission tickets, charges, and fees to places of amusement and athletic events and imposing a tax upon transactions involving services of gas, electricity, water, communication and transportation; providing for the levy, assessment, computation, and collection of such tax and its disposition; providing for certain refunds, exemptions and deductions; defining terms; prescribing duties and powers of the State Board of Equalization for the operation and enforcement of this act; prescribing penalties for the violation of the provisions of this act, and repealing all acts and parts of acts in conflict herewith."

By Beazley, O'Connor, Newell, Wilson and Toole: A bill for an act entitled: "An act to amend Section 2841 Revised Codes of Montana 1935, as amended by Section 1, of Chapter 119 Laws of Montana 1939, relative to the employers' engaged in hazardous industries election to be bound by the workmen's compensation act by making it mandatory and compulsory for employers and employees engaged in coal mining to be covered by one of the three plans of the workmen's compensation act and repealing all acts and parts of acts in conflict herewith."

By Committee on Agriculture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely, Section 4065 relating to the bond and license of real estate brokers: Section 4068 relating to non-resident applicants for real estate broker's license."

By Committee on Agriculture: A bill for an act entitled: "An act to amend Section 3561 of the Revised Codes of Montana of 1935, relating to the powers and duties of the Department of Agriculture, Labor and Industry extending its powers and duties to include the investigation of the practices and methods relating to the growing, sale, processing or refining of beets used for sugar."

By Lippard: A bill for an act entitled: "An act relating to and regulating the sale of oleomargarine; defining oleomargarine and a retailer and a wholesaler thereof; providing for and fixing the amount of license to sell or exchange oleomargarine and for the revocation thereof; providing for quarterly report to the Department of Agriculture, Labor and Industry by persons handling oleomargarine; levying a tax per pound on oleomargarine handled, and providing for stamps and the manner of collecting such tax; providing for bond to be furnished by wholesaler; providing for the redemption of unused stamps; designating the disposition of funds; fixing a penalty; providing for the enforcement of this act and repealing all acts in conflict."

By Lippard: A bill for an act entitled: "An act providing for the licensing, regulating and control of slot machines, punch boards and similar devices, providing for an operator's license, a machine license, and a premise license, and granting to the State Board of Equalization authority to issue such licenses and granting certain powers for the enforcement of this act; fixing the amount to be paid for licenses and that all fees collected under the provisions of this act by the state shall be deposited in the old age pension fund, excepting not more than ten per cent (10%) of such fees to be used by the board for the administration of this act; defining the terms used herein; providing for the labeling of slot machines, punch boards or similar devices to indicate the basis upon which such slot machines, punch boards or similar devices are operated; permitting cities, towns

and counties to levy a license tax in addition to the state license herein provided for, and providing that all money collected by a county for such licenses shall be deposited in the county poor fund; and providing penalties for the violation of this act."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 68, respectfully report as follows: That House Bill No. 68 be amended by striking out the whole of Section 7 thereof and inserting in lieu thereof the following:

Section 7. When a corporation, partnership, association, trustee, or individual is a non-resident of the State of Montana and has, for the transaction of any business, an office or agency or real estate in any county of the State of Montana, service may be made on any agent, clerk, rent collector, or any other person employed in such office or agency or in the conduct or management of such real estate for such principal, and in addition thereto, plaintiff shall mail, or cause to be mailed, copy of summons and complaint, to such principal at his last known address as may be determined by the records of the County Assessor and County Treasurer of the county in which such office, agency, or real estate is situated, in all actions growing out of or connected with the business of that office or agency or in the conduct or management of such real estate. Plaintiff shall make and file an affidavit of mailing showing compliance with this section. And that as amended, House Bill No. 68 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 do not pass, but that Substitute House Bill No. 69: A bill for an act entitled: "An act authorizing the state to take advantage of federal activities to furnish emergency relief employment to needy citizens of the state; creating an emergency relief fund; providing for the levy of a tax to finance such funds; authorizing public bodies to issue anticipatory emergency relief fund warrants; authorizing the State Land Board to purchase such warrants under certain conditions and declaring an emergency." Do pass.

SPIEGEL, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read third time and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

Senate Bill No. 36, by Committee on Oils and Leases.

Senate Bill No. 22, by Mahoney.

Substitute for Senate Bill No. 18, by Committee on Agriculture.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Cannon, duly seconded and carried, that Substitute House Bill No. 9 be passed for the day.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees; all appropriation measures having been read at length:

Substitute Senate Bill No. 18: Introduced by the Committee on Agriculture: A bill for an act entitled: "An act to repeal the following sections of Chapter 306 of the Revised Codes of Montana, 1935, Sections 3592.10, 3592.11, 3592.12, 3592.13, 3592.14, 3592.15, 3592.16, 3592.17, 3592.18, 3592.19, 3592.20, 3592.21, 3592.22, 3592.23, 3592.24, 3592.25, 3592.26, 3592.27, 3592.28, 3592.29, 3592.30, and Sections 3592.44, 3592.45, 3592.46, 3592.47, 3592.48, 3592.49, 3592.50, 3592.51, 3592.52, 3592.53, all relating to farm storage of grain." Committee on Agriculture.

Senate Bill No. 36: Introduced by Committee on Oils and Leases: A bill for an act entitled: "An act to amend Section 1882.3 of the Revised Codes of Montana, 1935, relating to the granting of oil and gas leases on state owned lands, providing for rentals, filing fees, contiguity of land leased, cancellation and renewal of leases and designating preferential rights with regard to granting leases in unproven areas." Committee on Petroleum, Oil and Gas.

Senate Bill No. 22: Introduced by Mahoney: A bill for an act entitled: "An act to amend Section 1757 of the Revised Codes of Montana, 1935, relating to motor vehicle number plates by providing that certain distinctive letters appear on motor vehicle number plates assigned to motor vehicles owned and operated by the state, counties, municipalities and school districts; providing for certain distinctive letters to appear on motor vehicles of the truck and trailer type; providing the manner of numbering the same; providing that number plates shall be used only on motor vehicles to which assigned; providing the effective date hereof, and repealing all acts and parts of acts in conflict." Committee on Highways and Highway Transportation.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Anderson in the Chair.

Mr. Speaker. We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 106 do pass.

That Senate Bill No. 7 be concurred in.

That Substitute House Bill No. 13 do pass.

That House Bill No. 101 do pass.

That House Bill No. 107 do pass.

That House Bill No. 90 do pass.

That House Bill No. 103 do pass.

That House Bill No. 114 do pass.

That Senate Joint Memorials Nos. 5 and 6 be concurred in.

ANDERSON, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Morrow: A bill for an act entitled: "An act providing for the release of sureties on official bonds of all state, county and other officers

and from the bonds of executors, administrators and guardians and other undertakings, and prescribing the procedure therefor; providing that an officer failing to file a new undertaking thereby forfeits office; prescribing the liability of and amount of the new undertaking; amending Sections 494, 502 and 503 and repealing Sections 495 to 501 inclusive, of the Revised Codes of Montana, 1935."

By Committee on Labor: A bill for an act entitled: "An act to amend Section 1 of Chapter 199 of the Session Laws of 1939; prescribing the hours of labor for persons employed in or about restaurants, cafes, lunch counters and other eating establishments providing for the six day work week; providing for exemptions therefrom; repealing all acts and parts of acts in conflict herewith."

By Horrigan: A bill for an act entitled: "An act classifying, governing and regulating the operations of motor vehicles by carriers and the users thereof in transporting passengers and property over the public highways in the state; imposing fees, taxes and charges for the privilege of using the highways of the State of Montana for the purpose of conducting the business of transporting passengers and property thereon for hire, and providing penalties for the violation thereof, and repealing Section 2 of Chapter 100 of the Laws of the Twenty-fourth Legislative Assembly, 1935."

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 7 was concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harrison, Hazelbaker, Holding, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Williams, Winters, Zuck. Total 79.

Noes: Mr. Speaker. Total 1.

Absent and not voting: Ahern, Aronson, Beck, Burke, Cannon, Dahlquist, Eggenberger, Gunderson, Harken, Hess, Kirscher, Lehrkind, Lippard, McKenna, Morrow, Parker of Cascade, Potter, Rice, Scofield, Toomey, Watson, Welcome. Total 22.

Senate Joint Memorial No. 5 was concurred by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Ballard, Banka, Beazley, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Horrigan, Hunter, James, Kemmis, Laubaugh, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 81.

Absent and not voting: Ahern, Armstrong, Aronson, Beck, Burke, Dahlquist, Eggenberger, Gunderson, Hess, Kirscher, LaBonte, Lehrkind, Mc-

Kenna, Morrow, Parker of Cascade, Potter, Rice, Scofield, Toomey, Watson, Welcome. Total 21.

Senate Joint Memorial No. 6 was concurred by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Curran, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Horrigan, Hunter, James, Kemmis, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Mernin, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 78.

Noes: Miller. Total 1.

Absent and not voting: Ahern, Allen, Aronson, Beck, Burke, Cannon, Cummings, Dahlquist, Eggenberger, Gunderson, Hess, Kirscher, LaBonte, Lehrkind, McKenna, Morrow, Parker of Cascade, Potter, Rice, Scofield, Toomey, Watson, Welcome. Total 23.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, February 3, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-NINTH DAY

House of Representatives,
Helena, Montana,
February 3, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Armstrong, Toomey, Watson, Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-seventh Legislative day, find the same to be correct.

Report adopted.

HESS, Chairman.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bill No. 12 and House Joint Memorials Nos. 1 and 2.

Report adopted.

COLE, Chairman.

I have examined House Bill No. 12 introduced by me and find the same to be correct.

HAGEMAN.

I have examined House Joint Memorial No. 1 introduced by me and find the same to be correct.

MARTIN of Fergus.

I have examined House Joint Memorial No. 2 introduced by me and find the same to be correct.

RICE.

The Speaker signed House Bill No. 12, House Joint Memorials Nos. 1 and 2 in open session.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain of the state's institutions, for the period beginning July 1, 1941, and ending June 30, 1943."

By Cannon and Mernin: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the Bureau of Agriculture and/or Bureau of Labor and Industry."

By the Committee on Education: A bill for an act entitled: "An act to amend Section 1006 of the Revised Codes of Montana, 1935, relating to meetings of the Board of School Trustees to provide for mileage for school trustees for attending meetings, and setting the maximum number of meetings for which trustees will be paid."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 13, House Bills, Nos. 103, 101, 107, 106, 90, and 114.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 5, respectfully report as follows: That House Joint Memorial No. 5 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 be amended as follows: By striking the words and figures "fifty thousand dollars (\$50,000)" in lines 9 and 10, page 3 of said bill, and inserting in lieu thereof, the words and figures "forty thousand dollars (\$40,000)", and that as amended, respectfully report that House Bill No. 102 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 1. A memorial to the Congress of the United States for the passage of an act incorporating the principles of the Townsend National Recovery Plan substantially as set forth in a bill entitled House Resolution 8264, introduced into the House of Representatives in the Third Session of the 76th Congress of the United

States on February 1, 1940. Respectfully report as follows: That Senate Joint Memorial No. 1 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 be amended as follows: By striking the words and figures "twenty thousand dollars (\$20,000.00)" in lines 1 and 2 of the title, and lines 1 and 2 of Section 1, and inserting in lieu thereof, the words and figures "ten thousand dollars (\$10,000.00)," and that as amended, said bill do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources, having had under consideration House Bill No. 153, respectfully report as follows: That House Bill No. 153 do pass.

TONN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 120, respectfully report as follows: That House Bill No. 120 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 do pass.

LYNCH, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 113, respectively report as follows: That House Bill No. 113 do pass.

BJORNEBY, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees. All appropriation measures having been read at length:

House Bill No. 162: Introduced by the Committee on Agriculture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 4065 relating to the bond and license of real estate brokers; Section 4068 relating to non-resident applicants for real estate broker's license." Committee on Judiciary.

House Bill No. 163: Introduced by Stevens: A bill for an act entitled: "An act to provide for the raising of revenue for the payment of old age pensions by imposing a tax upon the privilege of engaging in the business of retailing tangible personal property; by imposing a tax upon the privilege of engaging in business involving admission tickets, charges, and fees to places of amusement and athletic events and imposing a tax upon transactions involving services of gas, electricity, water, communication and transportation; providing for the levy, assessment, computation, and col-

lection of such tax and its disposition; providing for certain refunds, exemptions and deductions; defining terms; prescribing duties and powers of the State Board of Equalization for the operation and enforcement of this act; prescribing penalties for the violation of the provisions of this act, and repealing all acts and parts of acts in conflict herewith." Committee on Revenue and Taxation.

House Bill No. 164: Introduced by Morrow: A bill for an act entitled: "An act providing for the release of sureties on official bonds of all state, county, and other officers, and from the bonds of executors, administrators, and guardians and other undertakings, and prescribing the procedure therefor; providing that an officer failing to file a new undertaking thereby forfeits office; prescribing the liability of and amount of the new undertaking; amending Sections 494, 502 and 503 and repealing Sections 495 to 501 inclusive, of the Revised Codes of Montana, 1935." Committee on Judiciary.

House Bill No. 165: Introduced by Stevens, McGreevey, Parker of Cascade, Castles, Fewkes, Goodwin, Zuck, Davey, Tyler, Parker of Wibaux, Scofield, Ahern, Dahlquist, Beazley, Gunderson, O'Brien, Mernin, McKenna, Hess, Banka, Bjorneby, Spiegel, Phelan, Oliver, Petersen, Aronson, Holding, Martin of Fergus, McDaniel, Murray, Clifford, Curran, Cummings, Esp, Lippard, Ballard, Nash, Loughran, Flook, Harken, Toole and Freshman: A bill for an act entitled: "An act to appropriate money to the State Department of Public Welfare for the payment of old age assistance under the provisions of Chapter Eight-two, Laws of 1937, as amended by Chapter One Hundred Twenty-nine, Laws of 1939, for the period beginning July 1, 1941, and ending June 30, 1943." Committee on Appropriations.

House Bill No. 166: Introduced by Committee on Labor: A bill for an act entitled: "An act to amend Section 1 of Chapter 199 of the Session Laws of 1939; prescribing the hours of labor for persons employed in or about restaurants, cafes, lunch counters and other eating establishments; providing for the six day work week; providing for exemptions therefrom; repealing all acts and parts of acts in conflict herewith." Committee on Labor.

House Bill No. 167: Introduced by Busch: A bill for an act entitled: "An act to amend Section 2201 of the Revised Codes of Montana of 1935, relating to the time of redemption from tax sales and decreasing the time therefor." Committee on Judiciary.

House Bill No. 168: Introduced by Committee on Agriculture: A bill for an act entitled: "An act to fix the standard classes and grades of mustard seeds, defining same; prescribing the powers and duties of the Commissioner of Agriculture in connection with the administration and enforcement of the act; defining damaged seeds, dockage, foreign material, fixing a basis of determination of dockage, defining percentages of moisture and percentage of dockage; fixing test weight per bushel; defining certain special grades and providing for a schedule of fees, the disposition of funds and penalties for violation." Committee on Agriculture.

House Bill No. 169: Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend Section 4250 of the Revised Codes of Montana, 1935, as amended by Chapter 146 of Session Laws of Montana, 1939, relating to weights and measures." Committee on Agriculture.

House Bill No. 170: Introduced by Morrow: A bill for an act entitled: "An act to amend Section 5859 of the Revised Codes of Montana of 1935, relating to the consent of a child's parents in adoption proceedings by providing for service of a copy of the petition for adoption on parents who are non-residents of the state by publication, and authorizing a court to make a valid and binding order of adoption without written consent of the parents in such cases, and providing for appeals from the order of the court." Committee on Judiciary.

House Bill No. 171: Introduced by Laubach: A bill for an act entitled: "An act to amend Section 3656, Revised Codes of Montana of 1935, providing for the appointment of deputy state fish and game wardens." Committee on Fish and Game.

House Bill No. 172: Introduced by James by request: A bill for an act entitled: "An act to amend Section 11371 of the Revised Codes of Montana of 1935, defining grand larceny by including in said definition the taking of wheat, flax or mustard seed." Committee on Judiciary.

House Bill No. 173: Introduced by the Committee on Social Security: A bill for an act entitled: "An act to amend Sections 5, 12, 13 and 15 of Chapter 137 of the Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, and to amend Sections 3, 4, 7, 8, 14 and 19 of Chapter 137 of the Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, as amended by Chapter 137, Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, being the 'unemployment compensation law', entitled: An act providing for unemployment compensation; creating a state unemployment compensation commission; establishing an unemployment compensation fund, and providing for the administration, distribution and investment thereof; providing for the assessment and collection of contributions upon payrolls of employers; creating a state employment service and providing an appropriation therefor; providing penalties for violations." Committee on Social Security.

House Bill No. 174: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of, and other purposes as designated herein, for the several units of the Greater University of Montana, known as the Montana State University, Montana State College, experiment stations and sub-stations and extension service thereof, Montana School of Mines, Montana State Normal College at Dillon, Eastern Montana State Normal School at Billings, and Northern Montana College at Havre, and for student fare refunds for the period beginning July 1, 1941, and ending June 30, 1943." Committee on Appropriations.

House Bill No. 175: Introduced by the Committee on Agriculture: A bill for an act entitled: "An act to amend Section 3561 of the Revised Codes of Montana of 1935 relating to the powers and duties of the Department of Agriculture, Labor and Industry extending its powers and duties to include the investigation of the practices and methods relating to the growing, sale, processing or refining of beets used for sugar." Committee on Agriculture.

MOTIONS AND RESOLUTIONS

It was moved by Toole, duly seconded and carried, that consideration of House Bill No. 60 under general orders, be passed for the day.

It was moved by Rice, duly seconded and carried, that House Bill No. 152 be taken from the Insurance Committee and referred to the Committee on Appropriations.

It was moved by Hammond, duly seconded and carried, that House Bill No. 90 be taken from Third Reading and placed on General Orders for further consideration.

It was moved by Clifford, duly seconded and carried, that consideration of House Bill No. 112 be passed for the day, under General Orders.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length:

Substitute House Bill No. 13 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Vanek, White, Williams, Wilson, Winters, Zuck, Castles, Mr. Speaker. Total 90.

Absent and not voting: Armstrong, Cole, Freshman, Hunter, LaBonte, Lippard, Parker of Flathead, Rice, Toomey, Tyler, Watson, Welcome. Total 12.

House Bill No. 103 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 92.

Absent and not voting: Armstrong, Cole, Freshman, Hunter, Morrow, Parker of Flathead, Scott, Toomey, Watson, Welcome. Total 10.

House Bill No. 101 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LeBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 91.

Absent and not voting: Armstrong, Cole, Freshman, Horrigan, Kirscher, Lippard, Parker of Flathead, Toole, Toomey, Watson, Welcome. Total 11.

It was moved by Byrne, duly seconded and carried, that further consideration of business under Third Reading and General Orders be passed until the afternoon session.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By O'Connor and Byrne: A bill for an act entitled: "An act authorizing and empowering the Governor of the State of Montana, with the aid of an advisory committee, to make a comprehensive and constructive study and investigation of the finances, business, affairs, and policies of the State of Montana, and of its several offices and of all of its bureaus, boards, commissions, departments and institutions for the purpose of disclosing whether there exist any abuses, inefficiency, duplication of work or services, or undue, unnecessary, extravagant or wasteful expenditures of state or public money or funds, and for the purpose of disclosing whether any of such offices, bureaus, boards, commissions, departments or institutions may be abolished, reorganized or consolidated for the purpose of doing away with duplication of work or services, reducing expenditures of state and public money or funds, and generally simplifying the operations of the state government, its institutions and departments, and providing some method or system for the conduct of its finances, business, affairs and policies in a uniform, orderly, business-like and economical manner; authorizing the Governor to employ experts to make such investigation; providing for reports to be made to the Governor during the progress of such investigation and after the same is fully completed; authorizing the Governor, with the advice of the advisory committee, to adopt and put into effect any recommendation or recommendations contained in any report, when approved by him, and when no legislative action is necessary therefor; providing for a report by the Governor, after the completion of such investigation, to the Twenty-eighth Legislative Assembly, and making an appropriation to defray the cost and expense of such investigation and study."

By Committee on Judiciary: A bill for an act entitled: "An act relating to the registration of electors who are absent from the county of their legal residence during the period provided by law for registration; permitting such electors to register without returning to the county and providing punishments for violation of this act."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 do pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 115, respectfully report as follows: That House Bill No. 115 do pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 do not pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 86, respectfully report as follows: That House Bill No. 86 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 do pass.

CLIFFORD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 116, 92 and 58, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

House Bill No. 176: Introduced by Anson: A bill for an act entitled: "An act to amend Section 4917 of the Revised Codes of Montana of 1935, relating to the fees of county clerks in the State of Montana." Committee on Townships and Counties.

House Bill No. 177: Introduced by Anson: A bill for an act entitled: "An act to amend Section 2524 of the Revised Codes of Montana of 1935, relating to certified copies of records—fees." Committee on Judiciary.

House Bill No. 178: Introduced by Beazley, Toole, O'Connor, Newell, Wilson: A bill for an act entitled: "An act amending Section 3524 Revised Codes of Montana 1935, relating to safety requirements restricting the time of blasting in coal mines." Committee on Mines and Mining.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 1:25 P. M.: House Bill No. 12 and House Joint Memorials Nos. 1 and 2.

COLE, Chairman.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill delivered to the Governor's office at 1:45 P. M.: House Joint Resolution No. 1.

COLE, Chairman.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length:

House Bill No. 107 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind,

Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Vanek, White, Williams, Winters, Zuck, Mr. Speaker. Total 84.

Noes: Tyler. Total 1.

Absent and not voting: Armstrong, Banka, Cole, Freshman, Horrigan, Kirscher, Mernin, Morrow, Newell, Parker of Flathead, Parker of Cascade, Saylor, Tonn, Toomey, Watson, Welcome, Wilson. Total 17.

House Bill No. 106 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Carlson, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 92.

Noes: Castles. Total 1.

Absent and not voting: Armstrong, Byrne, Cummings, Freshman, Hunter, Toomey, Watson, Welcome. Total 9.

House Bill No. 114 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 91.

Absent and not voting: Armstrong, Cummings, Freshman, James, Laubach, McMichael, Morrow, Parker of Flathead, Toomey, Watson, Welcome. Total 11.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Eggenberger in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Substitute House Bill No. 9 do pass.

That House Bill No. 14 be amended as follows: Amend Section 1 by striking in line 5 thereof the words "except sheriffs,"; amend Section 3 by striking all of the words after the word "expenses" in line 12, up to and including the word "transportation" in line 17. And that the same do pass as amended.

That House Bill No. 29 do pass.

That House Bill No. 44 do pass.

That House Bill No. 99 do pass.

That House Bill No. 110 do pass.

That the enacting clause be stricken from House Bills Nos. 123 and 130.

That consideration of House Bill No. 90 be passed for the day.

That Senate Joint Memorial No. 1 be concurred in.

EGGENBERGER, Chairman.

It was moved by Eggenberger, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Lippard, duly seconded, that Substitute House Bill No. 9 be segregated from the report of the Committee of the Whole. A roll call, to be entered in the Journal, was requested by the required number and the motion by Lippard, lost by the following vote.

Ayes: Ahern, Ballard, Burke, Byrne, Curran, Freshman, Friedl, Goodwin, Lehrkind, Lippard, Loughran, Lynch, O'Brien, Stevens, Mr. Speaker. Total 15.

Noes: Allen, Anderson, Anson, Armstrong, Aronson, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Cannon, Carlson, Clifford, Cole, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbergd, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Simpson, Spiegel, Tonn, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 81.

Absent and not voting: Antrim, Castles, Scott, Toomey, Watson, Welcome. Total 6.

On substitute motion, it was moved by Curran, duly seconded, that House Bill No. 14 be segregated from the report of the Committee of the Whole. A roll call, to be entered in the Journal, was requested by the required number and the motion by Curran, lost by the following vote:

Ayes: Ahern, Allen, Antrim, Burke, Busch, Byrne, Clifford, Cummings, Curran, Freshman, Goodwin, Horrigan, James, Kirscher, Laubach, Lehrkind, Lippard, Loughran, Lynch, McKenna, McMichael, Morrow, Murray, Nash, O'Brien, Parker of Wibaux, Parker of Cascade, Rasmussen, Rice, Scofield, Stevens, Mr. Speaker. Total 32.

Noes: Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Cannon, Carlson, Castles, Cole, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbergd, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kemmis, LaBonte, Lowe, McDaniel, McGreevey, Martin of Madison, Martin of Fergus, Mernin, Miller, Nelson, Newell, O'Connor, Oliver, Parker of Flathead, Petersen, Phelan, Potter,

Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Tonn, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 67.

Absent and not voting: Toomey, Watson, Welcome. Total 3.

Whereupon motion to adopt Committee of the Whole report was carried.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Joint Memorial No. 1 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Wilson, Zuck, Mr. Speaker. Total 93.

Noes: Winters. Total 1.

Absent and not voting: Hess, Lippard, Parker of Flathead, Rasmussen, Toomey, Watson, Welcome, Williams. Total 8.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, February 4, 1941, at 10:30 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTIETH DAY

House of Representatives,
Helena, Montana,
February 4, 1941.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members present except the following who were excused: Toomey, Watson, Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-ninth Legislative day, find the same to be correct.

Report adopted.
HESS, Chairman.

The Speaker signed the following in open session: Senate Joint Memorials Nos. 4, 5, and 6, and Senate Bills Nos. 7, 16 and 17.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Laubach, Anson, Ahern, Reed, Hazelbaker, Stevens, Nash: A bill for an act entitled: "An act to amend Section 1465 of the Revised Codes of Montana, 1935 relative to the duties of school district clerks and duly licensed physicians to report hard of hearing, deaf, partially sighted and blind children to the president of the school for the deaf and blind in Great Falls."

By Laubach, Anson, Ahern, Reed, Hazelbaker, Stevens, Nash: A bill for an act entitled: "An act to amend Section 1459 of the Revised Codes of Montana, 1935, relating to the supervision and control of the Montana school for the deaf and blind by making it the duty of teachers of school districts to provide special classes for those persons between the ages of six and eighteen who are not totally blind or deaf, but who have defective vision or are partially deaf, and to provide and employ a teacher or teachers and provide for the qualifications of such teacher or teachers and for the employment and supervision thereof."

By Laubach, Anson, Ahern, Reed, Hazelbaker, Stevens, Nash: A bill for an act entitled: "An act to amend Section 1466 of the Revised Codes of Montana, 1935, relating to the compulsory education of deaf and blind persons by adding a new paragraph thereto providing for the duty of the president of the Montana school for the deaf and blind to investigate persons reported by school district clerks and to make application for admission of such persons into the Montana school for the deaf and blind upon failure of parents or guardians to do so after notice."

By Laubach, Anson, Ahern, Reed, Hazelbaker, Stevens, Nash: A bill for an act entitled: "An act to amend Section 3 of Chapter 43 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana of 1937 relating to the establishment and operation of a school for the deaf and blind at Great Falls, Montana and providing for the discontinuance of the school for the deaf and blind at Boulder, Montana, by providing for the appointment of a president, providing the term of such appointment, and outlining the qualifications of said president and providing for the removal of said president, and providing for employment of a field worker and prescribing his duties and salary."

By Burke and Toole: A bill for an act entitled: "An act to amend Section 10,375, of the Revised Codes of Montana, 1935, relating to the termination of life estates, and providing for the procurement of a court decree declaring the termination of a joint tenancy."

By Dillavou: A bill for an act entitled: "An act to amend Section 4584 of the Revised Codes of Montana of 1935, as amended by Chapter 53 of the Session Laws of 1939, relating to the assessment and apportionment of costs of rural improvement districts."

By Toole, Gunderson, Stevens, Cummings, Parker of Cascade: A bill for an act entitled: "An act to appropriate money for the purchase and placing of a suitable statue of Charles Marion Russell in the National Statuary Hall in the national capitol building at Washington, D. C."

By Kemmis: A bill for an act entitled: "An act to amend Section 3691 of the Revised Codes of Montana of 1935, enumerating certain animals which may be hunted without a license, providing that certain persons may take certain game without a license, and that certain persons shall be entitled to a license without charge."

By Dillavou, Anderson, Byrne, Antrim, Tonn, Parker of Cascade: A bill for an act entitled: "An act to provide for a system of personnel administration in state employment; to create a state personnel service com-

mission, and a director of personnel; and defining the powers and duties and proceedings of such commission and director; authorizing the commission and director created hereunder to promulgate regulations and rules for the administration of its functions; providing for the compensation of the director and commissioners created hereunder; and providing funds for the operation of the personnel department."

By Spiegel, Kemmis, Holding, Rice: A memorial entitled: "A memorial to the Congress of the United States of America requesting it to assist the beet sugar industry in Montana."

By Zuck, Nash, Beck, Tyler, Laubach, James, Hageman, LaBonte, Castles, Allen, Williams, Newell, Parker of Cascade, Goodwin, Scott: A bill for an act entitled: "An act providing for instruction in visual education in the public elementary and secondary schools of the state; providing for the preparing of courses of instruction therein; for the appointing of a supervisor of visual education; for the establishing and appropriating funds to carry out the provisions of this act."

By Ahern and Hess by request: A bill for an act entitled: "An act creating a public water supply personnel examining board of the State Board of Health of the State of Montana, defining its duties and providing for the certification of superintendents, engineers, and operators for all public water works systems, municipally or privately owned."

By Committee on Education: A bill for an act entitled: "An act to amend Section 1200.4 of the Revised Codes of Montana of 1935, as amended by Chapter 38 of the Session Laws of 1937, and as amended by Chapter 169 of the Session Laws of 1939 creating a state public school fund and providing for the disposal of school moneys."

By Busch: A bill for an act entitled: "An act to prohibit the sale, offering or exposing for sale of fireworks, and to regulate the manner of their use, and to provide penalties for the violation of the provisions of the act."

By Cummings by request: A bill for an act entitled: "An act to amend Section 1 of Chapter 205 of the Laws of the Twenty-sixth Legislative Assembly, 1939, relating to the reinstatement of police officers in cities in the State of Montana."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 8, 113, 115, 122, 108, 120, House Joint Memorial No. 5 and Substitute House Bill No. 69, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 44, 14, 110, 99, Substitute House Bill No. 9.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 89, respectfully report as follows: That House Bill No. 89 do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under con-

consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 do pass.

Report adopted.

MURRAY, Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 be re-referred to the Committee on Insurance.

Report adopted.

DOUGHERTY, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 do not pass.

Report adopted.

TOOLE, Chairman.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 be amended as follows: In line ten (10) after the word "be" strike out the word and figure "fifty (50)" and insert therein the word and figure "forty-five (45)" and on page two (2) in line four (4) after the word "of" strike out the word and figure "fifty (50)" and insert in lieu thereof the word and figure "forty-five (45)", and that the bill as amended do pass.

Report adopted.

KIRSCHER, Chairman.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 do pass.

Report adopted.

KIRSCHER, Chairman.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

It is not my purpose to deluge your Honorable Body with special messages concerning matters that deserve the attention of the Legislative Assembly, but there are some problems connected with our educational system that urgently demand your consideration and I ask your sincerest attention to them with a view to correcting existing shortcomings.

Let me refer, first, to conditions involving the physical plant at the Montana State College at Bozeman. Many of the buildings at this institution are very old and inadequate for the housing of the students who have quadrupled in number since the structures were erected. I may instance the chemistry building, which was constructed in 1918, when there were only 340 students in the institution. Today, with nearly five times that total of students, the quarters are manifestly insufficient and the work of the college is sorely impeded if not actually impaired by existing conditions. It is certainly not too much to say that the situation is deplorable and one that should enlist the sympathy of every friend of higher education in the state.

You know, of course, of the failure of the proposed bond issue at the last November election, and you need not be reminded that something must be done promptly if we are to meet our obligations to the institution and to all those who wish to enroll there.

Then there is the situation at the Northern Montana College at Havre, where the rapid growth of the comparatively new institution has placed it in a position where its good work is seriously hampered for lack of class rooms and in other ways. Being the only institution of its kind in that great area which we commonly refer to as Northern Montana, it is worthy of our enthusiastic support if it is to be continued at all. Montana has established it and therefore, as in the case of the State College, it is the duty of Montana to provide adequate support.

Without attempting to argue further a proposition that must appeal to every friend of education in the Assembly, I venture to recommend that your Honorable Body appoint a special joint committee whose duty it will be to visit these two institutions, make a comprehensive survey of conditions and report to this session such recommendations as the committee may deem justified by the situation revealed by its investigations. By doing this at this early date, some solution may be arrived at that will render a great service to the college and consequently to the many hundreds of those enrolled therein.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following were this day read three several times and concurred in, title and history agreed to, and the same are herewith returned to the House: House Bill No. 53, by Toomey, by request. House Joint Resolution No. 3, by Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence: Senate Bill No. 20, by Haynes; Senate Bill No. 15, by D'Ewart; Senate Bill No. 29, by Maddox; Senate Bill No. 6, by Wood (Carter); Senate Joint Memorial No. 7, by Mundy, et al.; Senate Joint Memorial No. 9, by Arnold, Simmons and Olmstead.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Toole, duly seconded and carried, that House Bill No. 60 be taken from General Orders and referred to the Committee on Judiciary.

It was moved by Clifford, duly seconded and carried, that House Bill No. 112 be taken from General Orders and referred to the Committee on Appropriations.

It was moved by Curran, duly seconded, that further consideration of House Bill No. 14 be passed for the day.

On substitute motion, it was moved by Dillavou, duly seconded and carried, that House Bill No. 14 be taken from Third Reading and referred to the Committee on State Boards and Offices.

It was moved by Cannon, duly seconded, that the House reconsider its action on House Bill No. 48, in adopting an adverse committee report.

A roll call, to be entered in the Journal, was requested by the required number and the motion by Cannon carried by the following vote:

Ayes: Ahern, Anderson, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Cannon, Carlson, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Goodwin, Gunderson, Hageman, Hammond, Harrison, Holding, Hess, Hunter, James, Kemmis, LaBonte, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Saylor, Scott, Spiegel, Stevens, Tonn, Vanek, Wilson, Zuck, Freshman. Total 64.

Noes: Allen, Anson, Antrim, Aronson, Blenkner, Burke, Busch, Byrne, Cummings, Gebhardt, Green, Harken, Hazelbaker, Laubach, Lehrkind, Lippard, Loughran, Morrow, Nash, O'Connor, Potter, Reed, Rice, Roehl, Scofield, Simpson, Toole, Tyler, White, Williams, Winters, Mr. Speaker. Total 32.

Absent and not voting: Dougherty, Horrigan, Kirscher, Toomey, Watson, Welcome. Total 6.

It was moved by Cannon, duly seconded and carried, that House Bill No. 48 be printed and placed on General Orders.

It was moved by Beazley, duly seconded and carried, that House Bill No. 116 be taken from General Orders and referred to the Committee on Affairs of Cities.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees, all appropriation measures having been read at length:

Senate Bill No. 20: Introduced by Haynes: A bill for an act entitled: "An act to amend Section 9731 of the Revised Codes of Montana 1935, relating to the taking of appeals to the Supreme Court from a district court, and the judgments and orders from which appeals may be taken, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 15: Introduced by D'Ewart: A bill for an act entitled: "An act to amend Section 2822 of the Revised Codes of Montana, 1935, relating to workmen's compensation; providing for bonds for the treasurer and other members of the Industrial Accident Board; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Workmen's Compensation.

Senate Bill No. 29: Introduced by Maddox: A bill for an act entitled: "An act to amend Section 4605.1 Revised Codes of Montana, 1935, relating to purchases made by boards of county commissioners in excess of one thousand (\$1,000.00) dollars." Referred to Committee on Townships and Counties.

Senate Bill No. 6: Introduced by Wood of Carter: A bill for an act entitled: "An act to prohibit the employment of persons other than citizens by the state, counties, cities, towns, university, colleges, or public schools and providing for emergencies." Referred to Committee on State Boards and Offices.

Senate Joint Memorial No. 7: Introduced by Mundy, Ross, Clayton, Morrison, Haight, Robinson, Drumheller: A memorial entitled: "A memorial to the congress of the United States requesting the enactment of appropriate legislation to create an Indian reservation for all Indians of one-half or more degree of Indian blood living on the outskirts of various Montana cities." Referred to Committee on Federal Relations.

Senate Joint Memorial No. 9: Introduced by Arnold, Simmons, Olmstead: A memorial entitled: "A memorial to the congress of the United

States urging the uses of domestic chromium and chromite ores prior to those now imported." Referred to Committee on Federal Relations.

House Bill No. 179: Introduced by Beazley, Toole, O'Connor, Newell, Wilson: A bill for an act entitled: "An act to amend Section 2841 Revised Codes of Montana 1935, as amended by Section 1, of Chapter 119 laws of Montana, 1939, relative to the employers engaged in hazardous industries election to be bound by the workmen's compensation act by making it mandatory and compulsory for employers and employees engaged in coal mining to be covered by one of three plans of the workmen's compensation act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Workmen's Compensation.

House Bill No. 180: Introduced by Committee on Judiciary: A bill for an act entitled: "An act relating to the registration of electors who are absent from the county of their legal residence during the period provided by law for registration; permitting such electors to register without returning to the county and providing punishment for violation of this act." Referred to Committee on Privileges and Elections.

House Bill No. 181: Introduced by Cannon and Mernin: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the bureau of agriculture and/or bureau of labor and industry." Referred to Committee on Constitutional Amendments.

House Bill No. 182: Introduced by Committee on Education: A bill for an act entitled: "An act to amend Section 1006 of the Revised Codes of Montana, 1935, relating to meetings of the board of school trustees to provide for mileage for school trustees for attending meetings, and setting the maximum number of meetings for which trustees will be paid." Referred to Committee on Economy.

House Bill No. 183: Introduced by Armstrong, Hazelbaker, Williams, Burke, Hunter: A bill for an act entitled: "An act creating the Montana Board of Medical Examiners, providing for the qualifications, appointments and terms of members thereof, the organization of said board and records thereof; defining the powers and duties of the board, and investing it with authority to supervise and regulate the practice of the profession of medicine and surgery in the State of Montana through the system of licensing and otherwise; authorizing the board to establish a system of examinations for applicants to practice medicine and surgery in Montana, providing for reciprocity under certain circumstances and prescribing certain exceptions; authorizing said board to revoke or suspend licenses, once granted, and to reinstate or restore licenses, and providing judicial review of actions of the board by petition to the district courts of Montana; providing for the recordation of certificates and licenses issued by the board; establishing a system of annual registration, applicants thereof, and prescribing fees to be paid by applicants under the terms of the act; providing for certificates of annual registration; providing penalties for violation of this act, and providing for injunctions to restrain the unlawful practice of medicine; containing a separability clause, and repealing Sections 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, and 3124, Revised Codes of Montana, 1935, and all acts and parts of acts in conflict with this act."

House Bill No. 184: Introduced by Stevens: A bill for an act entitled: "An act creating the Montana State Board of Basic Sciences, providing for appointment of members therefor and qualifications of such members, and for the organization of such board, prescribing fees for applicant; providing a system of examination by said board; issuance of certificate of ability and reciprocity certificates; providing for court review of board actions; and forbidding any persons practicing the healing act without receiving a certificate of ability in the basic sciences; prescribing exceptions, and

providing penalties for violation of said act." Referred to Committee on Public Health and Sanitary Affairs.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 44 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 92.

Noes: None.

Absent and not voting: Carlson, Goodwin, Horrigan, Kirscher, Laubach, Murray, Spiegel, Toomey, Watson, Welcome. Total 10.

House Bill No. 110 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Mrs. Speaker. Total 90.

Noes: Blenkner and Saylor. Total 2.

Absent and not voting: Carlson, Goodwin, Horrigan, Kemmis, Laubach, Potter, Toomey, Watson, Welcome, Zuck. Total 10.

House Bill No. 99 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole,

Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: Armstrong, Goodwin, Gunderson, Kirscher, Laubach, Parker of Wibaux, Toomey, Watson, Welcome. Total 9.

Substitute House Bill No. 9 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 82.

Noes: Ahern, Burke, Byrne, Friedl, Green, Hammond, Horrigan, Lehrkind, McDaniel, Martin of Fergus, Miller, O'Connor, Tonn, Mr. Speaker. Total 14.

Absent and not voting: Goodwin, Gunderson, Kirscher, Toomey, Watson, Welcome. Total 6.

It was moved by Byrne, duly seconded and carried, that consideration of business on General Orders be passed until the afternoon session.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Ballard: A bill for an act entitled: "An act to amend Section 1520 of the Revised Codes of Montana of 1935, relating to the admission of patients to the Montana State Tuberculosis Sanitarium; eliminating the qualification of citizenship as a prerequisite to such admission; providing for the admission of residents of the State of Montana; and repealing all acts and parts of acts in conflict therewith."

By Committee on Horticulture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 3633.4 as amended by Chapter 71 of the session laws of 1937 relating to the handling of farm products and the grading, labelling, tagging and branding thereof; Section 3633.9 relating to the intent of the act."

By Committee on Horticulture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 2443.1 relating to dealers at wholesale; Section 2443.4 relating to license of a dealer at wholesale; Section 2443.8 and Section 2443.9 both relating to the powers and duties of the Commissioner of Agriculture in connection with dealers at wholesale and Section 2443.10 relating to review of orders of the Commissioner of Agriculture."

By Murray: A bill for an act entitled: "An act prohibiting discrimination against persons in employment on account of age."

By Committee on Judiciary: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the constitution of the State of Montana making the terms of office of certain elective and appointive officers, not enumerated in Sections 4 and 5 of Article XVI of the said constitution, as amended by the adoption of the provisions of Chapter 93 of the session laws of 1937, conform to such amendment by the amendment of Sections 19 and 20 of Article VIII and Section 6 of Article XVI of said constitution, relating to the terms of office of county auditors, county attorneys, justices of the peace, constables, and municipal officers."

By Committee on Judiciary: A bill for an act entitled: "An act to repeal Chapter 123 of the regular session of the Twenty-sixth Legislative Assembly, 1939, relating to copyrights and public performing rights in musical compositions, and dramatic musical compositions, the registration thereof and providing penalties for the violation thereof."

By Goodwin: A bill for an act entitled: "An act relating to insurance covering damage to motor vehicles and insuring against loss or legal liability to persons or property caused by motor vehicles, and to provide for the regulation and control of rate of premiums thereon, and to prevent discrimination therein."

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 29.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your majority of the Committee on Labor, having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 do not pass.

HORRIGAN
ARONSON
HAMMOND
LOUGHRAN
POTTER
HARRISON
McDANIEL
CUMMINGS
CARLSON

It was moved by Hammond, duly seconded, that the majority report of the Committee on Labor be adopted.

A call of the House was demanded by the required number.

On motion by Rice, duly seconded and carried, further call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number, and the motion by Hammond carried by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cummings, Curran, Dillavou, Eggenberger, Esp, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hammond, Harken, Harrison, Hazelbaker, Horrigan,

Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, Martin of Madison, Miller, Morrow, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Stevens, Toole, Tyler, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 67.

Noes: Banka, Beazley, Beck, Bjorneby, Cannon, Clifford, Dahlquist, Davey, Dougherty, Fewkes, Friedl, Gunderson, Holding, Hess, Laubach, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nash, Nelson, Parker of Cascade, Petersen, Phelan, Rice, Spiegel, Tonn, Vanek. Total 29.

Absent and not voting: Cole, Hageman, Saylor, Toomey, Watson, Welcome. Total 6.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 118, respectfully report as follows: That House Bill No. 118 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 5, respectfully report as follows: That Senate Bill No. 5 be concurred in.

FRESHMAN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Joint Resolution No. 1, providing for the creation of a Joint Committee for the study of the present governmental organization of the State of Montana.

SAM C. FORD,
Governor.

The Speaker appointed Lehrkind, Toomey and James, to act under House Joint Resolution No. 1.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees, all appropriation measures having been read at length:

House Bill No. 185: Introduced by Aronson, Horrigan, Gebhardt, O'Connor: A bill for an act entitled: "An act to regulate, license, authorize and control games of chance, gambling games and gambling devices; providing for the operation thereof under licenses duly issued by the State Board of Equalization; providing for a license tax and fixing the amount thereof; granting to the State Board of Equalization certain powers for the enforcement of this act; prohibiting persons under the age of twenty-one years from playing at or loitering about such games or from entering or being permitted to enter any house, room or premises wherein any gambling games or gambling devices are operated or conducted; permitting cities, towns and counties to levy a license tax in addition to the state licenses herein provided for; defining certain words and terms used in this act; prescribing the hours during which games may be played; providing for the suspension and revocation of licenses; authorizing the State Board of

Equalization to prescribe and promulgate rules and regulations with statutory effect and granting to said board the power to regulate and control licenses and licensees; providing for hearings by the board and appeals from decisions thereof; providing for the allocation of license fees; providing penalties for the violation of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 186: Introduced by Aronson, Horrigan, Gebhardt, O'Connor: A bill for an act entitled: "An act relating to the licensing of slot machines, bank nights, wire rooms, pin ball, marble or bagetelle games, or other similar games; providing the manner of licensing; allowing cities, towns, and counties to issue licenses; and for the disposition of fees; prohibiting the operation of such games without a license; prohibiting those under the age of twenty-one years to play such games; providing penalties for the violation of this act; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 187: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain of the state's institutions, for the period beginning July 1, 1941, and ending June 30, 1943." Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 53 and House Joint Resolution No. 3.

COLE, Chairman.

Report adopted.

The Speaker signed House Bill No. 53 and House Joint Resolution No. 3 in open session.

THIRD READING

House Bill No. 29, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, LaBonte, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, White, Williams, Wilson, Winters, Mr. Speaker. Total 84.

Noes: Dahlquist, Martin of Fergus, Vanek. Total 3.

Absent and not voting: Beazley, Burke, Cannon, Cummings, Hageman, Hunter, Kirscher, Laubach, Lehrkind, Morrow, Reed, Toomey, Watson, Welcome, Zuck. Total 15.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Rice in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 58 do pass.

That House Bill No. 90 do pass.

That the enacting clause be stricken from House Bill No. 92.

That Senate Bill No. 5 be concurred in.

RICE, Chairman.

It was moved by Rice, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Murray, duly seconded, that Senate Bill No. 5 be segregated from the report of the Committee of the Whole.

A roll call, to be entered in the Journal, was requested by the required number, and the motion was lost by the following vote:

Ayes: Antrim, Banka, Beazley, Beck, Bjorneby, Byrne, Cannon, Clifford, Dahlquist, Friedl, Gunderson, Harken, Hess, James, Kemmis, Lippard, McGreevey, McKenna, Martin of Fergus, Mernin, Miller, Murray, Nelson, Parker of Cascade, Petersen, Phelan, Spiegel, Tonn, Mr. Speaker. Total 29.

Noes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Blenkner, Burke, Busch, Carlson, Castles, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Harrison, Hazelbaker, Holding, Horrigan, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 66.

Absent and not voting: Hunter, Kirscher, Morrow, Parker of Flathead, Toomey, Watson, Welcome. Total 7.

Whereupon the report of the Committee of the Whole was adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Labor: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 3084 relating to the semi-monthly payment of wages: Section 3085 relating to the penalty for Section 3084: Section 3086 relating to discharged employees."

By Burke: A bill for an act entitled: "An act to amend Section 5277.3 Revised Codes of Montana, 1935, so as to make the special improvement district revolving fund available also for the payment of warrants issued for the construction of sidewalks and curbs without the formation of a special improvement district under the provisions of Section 5244 Revised Codes of Montana, 1935."

By Murray, Clifford and Mernin: A bill for an act entitled: "An act determining employment standards in the State of Montana; providing for exemptions and penalties and repealing all acts and parts of acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 90.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 153, 68, 102, 93, 86, 139, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 2:35 P. M. House Bill No. 53 and House Joint Resolution No. 3.

COLE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House Measures:

House Bill 2—Relating to power of a Council to discontinue streets or alleys.

House Joint Memorial 1—Memorializing Congress regarding the Townsend Recovery Plan.

House Joint Memorial 2—Memorializing Congress for legislation making all bonds taxable.

SAM C. FORD,
Governor.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 5 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Horrigan, James, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, Mernin, Murray, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Spiegel, Stevens, Toole, Tyler, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 75.

Noes: Banka, Beazley, Beck, Dahlquist, Friedl, Gunderson, Hess, Kemmis, McKenna, Martin of Madison, Martin of Fergus, Miller, Nelson, Parker of Cascade, Phelan, Saylor, Simpson, Tonn, Vanek. Total 19.

Absent and not voting: Cannon, Hunter, Kirscher, McMichael, Morrow, Toomey, Watson, Welcome. Total 8.

House Bill No. 90 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Stevens, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 87.

Noes: Esp, Lippard, McDaniel, Miller, Scofield, Simpson, Tonn, Mr. Speaker. Total 8.

Absent and not voting: Cannon, Hunter, McMichael, Morrow, Toomey, Watson, Welcome. Total 7.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday, February 5th, 1941, at 10:30 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-FIRST DAY

House of Representatives,
Helena, Montana,
February 5, 1941.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Gunderson, Watson, Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirtieth Legislative day, find the same to be correct.

Report adopted.

HESS, Chairman.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By the Committee on Federal Relations: A bill for an act entitled: "An act to appropriate money for the sponsorship of the writer's project, a division of the work projects administration, by the State of Montana."

By Scott: A bill for an act entitled: "An act repealing Chapter 96

of the Revised Codes of Montana of 1935, being Sections 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047 and 1048, relating to rural school districts."

By Hunter and others: A bill for an act entitled: "An act to appropriate money for the Montana State Park Commission to provide for expenditures that said commission is authorized to incur for the period beginning July 1, 1941, and terminating June 30, 1943."

By Toole and Toomey: A bill for an act entitled: "An act authorizing directors of a corporation to amend its articles of incorporation to decrease its capital stock by cancelling all or any part of the shares of stock held in the treasury of the corporation."

By Toole and Toomey: A bill for an act entitled: "An act to amend Section 5939 of the Revised Codes of Montana, 1935, relating to the payment of dividends by directors of corporations."

The Speaker signed Senate Bill No. 5 in open session.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills, Nos. 48, 166, 148, and 155, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 58.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 do pass.

PHELAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 be amended as follows: Amend Section 8, sub-section 4 by adding, after the words: "to the effective date of this act" a comma, and inserting immediately thereafter the following: "Provided further that no person shall be refused a license, or have his license suspended or revoked by reason of his employment, intended employment, affiliation or participation with any incorporated cooperative funeral association, and this section shall in no way limit the right of any and all persons to form, conduct and operate an incorporated cooperative funeral association." And amend Section 8, sub-section 4, paragraph 2 by changing the period to a comma after the word "files" at the end thereof, and inserting immediately thereafter the following: "and a copy of such transcript shall be furnished to the person so charged and accused." And to amend Section 8, sub-section 4, paragraph 3, by striking out in lines 4 and 5, after the word "a written notice of appeal therefrom" the words "to the District Court of the First Judicial District of the State of Montana, in and for the County of Lewis and Clark", and inserting in lieu thereof the words "to any district court of the State of Montana," and also to amend Section 8, sub-section 4, paragraph 3, by striking out in line 11, after the words "the judgment of" the words "the District Court of the First Judicial District", and inserting in lieu thereof the words "any such district court". Also to amend Section 3 by adding to the end thereof the

following: "An interne and apprentice is hereby defined to be a person possessed of the qualifications provided by this section for the practice of embalming and who has taken and successfully passed the examination herein provided for embalmers." And as amended do pass.

LYNCH, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 169, respectfully report as follows: That House Bill No. 169 do pass.

PHELAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Joint Memorial No. 3, respectfully report as follows: That House Joint Memorial No. 3 be amended by striking out all of the last paragraph after the word "resolved" and inserting in lieu thereof the following: "That a certified copy of this memorial be forwarded by the Secretary of State to each of the officials named in the first paragraph hereof." And as so amended do pass.

HARKEN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration, House Bill No. 67, respectfully report as follows: That House Bill No. 67 do not pass.

BEAZLEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 9, respectfully report as follows: That Senate Joint Memorial No. 9 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 7, respectfully report as follows: That Senate Joint Memorial No. 7 be concurred in.

STEVENS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, further consideration of House Bill No. 19, by LaBonte, was indefinitely postponed, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion was this day duly adopted by the Senate:

"Mr. President: I move that the President of the Senate be authorized to appoint a committee of three from the Senate, to act with a like committee to be appointed by the Speaker of the House, to carry out the business set forth in and to comply with the Governor's message received by this Senate today, February 4th, 1941. /s/ Ecton."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Kirscher, duly seconded and carried, that House Bill No. 102 be taken from General Orders and referred to the Committee on Highways and Highway Transportation.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

House Bill No. 188: Introduced by Committee on Judiciary: A bill for an act entitled: "An act to repeal Chapter 123 of the regular session of the Twenty-sixth Legislative Assembly, 1939, relating to copyrights and public performing rights in musical compositions, and dramatic musical compositions, the registration thereof and providing penalties for the violation thereof." Committee on Judiciary.

House Bill No. 189: Introduced by Murray, Clifford and Mernin: A bill for an act entitled: "An act determining employment standards in the State of Montana; providing for exemptions and penalties and repealing all acts and parts of acts in conflict herewith." Committee on Labor.

House Bill No. 190: Introduced by Burke: A bill for an act entitled: "An act to amend Section 5277.3 Revised Codes of Montana, 1935, so as to make the special improvement district revolving fund available also for the payment of warrants issued for the construction of sidewalks and curbs without the formation of a special improvement district under the provisions of Section 5244 Revised Codes of Montana, 1935." Committee on Judiciary.

House Bill No. 191: Introduced by Committee on Labor: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 3084 relating to the semi-monthly payment of wages; Section 3085 relating to the penalty for Section 3084; Section 3086 relating to discharged employees." Committee on Labor.

House Bill No. 192: Introduced by Murray: A bill for an act entitled: "An act prohibiting discrimination against persons in employment on account of age." Committee on Labor.

House Bill No. 193: Introduced by Cummings by request: A bill for an act entitled: "An act to amend Section 1 of Chapter 205 of the Laws of the Twenty-sixth Legislative Assembly, 1939, relating to the reinstatement of police officers in cities in the State of Montana." Committee on Judiciary.

House Bill No. 194: Introduced by Committee on Horticulture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 3633.4 as amended by Chapter 71

of the Session Laws of 1937 relating to the handling of farm products and the grading and labelling, tagging and branding thereof; Section 3633.9 relating to the intent of the act." Committee on Horticulture.

House Bill No. 195: Introduced by Committee on Horticulture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, namely: Section 2443.1 relating to dealers at wholesale; Section 2443.4, relating to license of a dealer at wholesale; Section 2443.8 and Section 2443.9 both relating to the powers and duties of the Commissioner of Agriculture in connection with dealers at wholesale and Section 2443.10 relating to review of orders of the Commissioner of Agriculture." Committee on Horticulture.

House Bill No. 196: Introduced by Burke and Toole: A bill for an act entitled: "An act to amend Section 10,375, of the Revised Codes of Montana, 1935, relating to the termination of life estates, and providing for the procurement of a court decree declaring the termination of a joint tenancy." Committee on Judiciary.

House Bill No. 197: Introduced by Busch: A bill for an act entitled: "An act to prohibit the sale, offering or exposing for sale of fireworks, and to regulate the manner of their use, and to provide penalties for the violation of the provisions of the act." Committee on Public Safety.

House Bill No. 198: Introduced by Goodwin: A bill for an act entitled: "An act relating to insurance covering damage to motor vehicles and insuring against loss or legal liability to persons or property caused by motor vehicles, and to provide for the regulation and control of rate of premiums thereon, and to prevent discrimination therein." Committee on Judiciary.

House Bill No. 199: Introduced by Ballard: A bill for an act entitled: "An act to amend Section 1520 of the Revised Codes of Montana of 1935 relating to the admission of patients to the Montana State Tuberculosis Sanitarium; eliminating the qualification of citizenship as a prerequisite to such admission; providing for the admission of residents of the State of Montana; and repealing all acts and parts of acts in conflict therewith." Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 200: Introduced by Ahern and Hess: A bill for an act entitled: "An act creating a public water supply personnel examining board of the State Board of Health of the State of Montana, defining its duties and providing for the certification of superintendents, engineers and operators for all public water works systems, municipally or privately owned." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 201: Introduced by Dillavou: A bill for an act entitled: "An act to amend Section 4584 of the Revised Codes of Montana of 1935, as amended by Chapter 53 of the Session Laws of 1939, relating to the assessment and apportionment of costs of rural improvement districts." Referred to Committee on Townships and Counties.

House Bill No. 202: Introduced by Committee on Judiciary: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana making the terms of office of certain elective and appointive officers, not enumerated in Sections 4 and 5 of Article XVI of the said Constitution, as amended by the adoption of the provisions of Chapter 93 of the Session Laws of 1937, conform to such amendment by the amendment of Sections 19 and 20 of Article VIII and Section 6 of Article XVI of said Constitution, relating to the terms of office of county auditors, county attorneys, justices of the peace, constables and municipal officers." Referred to Committee on Constitutional Amendments.

House Bill No. 203: Introduced by Dillavou, Anderson, Byrne, Antrim, Tonn, and Parker of Cascade: A bill for an act entitled: "An act to provide for a system of personnel administration in state employment; to create

a state personnel service commission, and a director of personnel; and defining the powers and duties and proceedings of such commission and director; authorizing the commission and director created hereunder to promulgate regulations and rules for the administration of its functions; providing for the compensation of the director and commissioners created hereunder; and providing funds for the operation of the personnel department." Referred to Committee on Appropriations.

House Joint Memorial No. 7: Introduced by Spiegel, Kemmis, Holding, and Rice: A memorial entitled: "A memorial to the Congress of the United States of America requesting it to assist the beet sugar industry in Montana." Referred to the Committee on Federal Relations.

House Bill No. 204: Introduced by Kemmis: A bill for an act entitled: "An act to amend Section 3691 of the Revised Codes of Montana of 1935, enumerating certain animals which may be hunted without a license, providing that certain persons may take certain game without a license, and that certain persons shall be entitled to a license without charge." Referred to Committee on Fish and Game.

House Bill No. 205: Introduced by Lippard: A bill for an act entitled: "An act relating to and regulating the sale of oleomargarine; defining oleomargarine and a retailer and a wholesaler thereof; providing for and fixing the amount of license to sell or exchange oleomargarine and for the revocation thereof; providing for quarterly report to the department of Agriculture, Labor and Industry by persons handling oleomargarine; levying a tax per pound on oleomargarine handled, and providing for stamps and the manner of collecting such tax; providing for bond to be furnished by wholesaler; providing for the redemption of unused stamps; designating the disposition of funds; fixing a penalty; providing for the enforcement of this act and repealing all acts in conflict." Referred to Committee on Revenue and Taxation.

THIRD READING

The following having been read three several times, history and title agreed to, was disposed of as follows; all appropriation measures having been read at length:

House Bill No. 58 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horriggan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 90.

Absent and not voting: Anson, Armstrong, Cannon, Gebhardt, Gunder-son, Holding, Mernin, Nash, Parker of Cascade, Watson, Welcome, White. Total 12.

It was moved by Byrne, duly seconded and carried, that consideration of General Orders, be passed until the afternoon session.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Murray and Clifford: A bill for an act entitled: "An act to amend Section 3432 of the Revised Codes of Montana, 1935, relating to the ventilation of places of work and the duties of the employer to furnish such ventilation."

By Phelan by request: A bill for an act entitled: "An act to appropriate money for the payment of salaries and maintenance operation and other purposes of the state bureau of criminal identification and investigation for the period beginning July 1, 1941, and ending June 30, 1943."

By Murray, Beazley, McGreevey, Clifford: A bill for an act entitled: "An act to amend Section 9429 of the Revised Codes of Montana of 1935 relating to exemption of earnings of judgment debtors."

By the Committee on Social Security: A bill for an act entitled: "An act to amend certain sections and subsections of Chapter 28 of the 1937 Session Laws, being the Public Welfare Act of the State of Montana, as follows: Subsection (c) of Section III of Part I, as amended by Section 1 of Chapter 129 of the 1939 Session Laws; Subsection (b) of Section VI of Part I, as amended by Section 2 of Chapter 129 of the 1939 Session Laws; Subsection (b) of Section XI of Part I, as amended by Section 8 of Chapter 129 of the 1939 Session Laws, Subsection (a) of Section II of Part II, as amended by Section 11 of Chapter 129 of the 1939 Session Laws; Section VII of Part II; Section IX of Part II, as amended by Section 14 of Chapter 129 of the 1939 Session Laws; Section IV of Part V; Subsection (h) of Section IV of Part VI; and to repeal Subsection (a) of Section IV of Part VI; all of which sections, subsections and amendments thereto relate to the general welfare and the social security of the people of the State of Montana."

By the Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2761 of the Revised Codes of Montana of 1935 relating to tax levy for the purpose of maintaining the department of State Fire Marshal and for the expenditure of funds; and repealing of acts in conflict."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61, be amended by inserting after the word "culturists" in line 9 of the title the following words "for beauty shops and schools." That Section 2 be amended by inserting in line 6, after the words "licensed practitioners" the following words, "and students in beauty schools," and inserting in line 11 after the word "thereof" the following words, "providing also that beauty schools shall charge for students' work, not less than fifty percent (50%) of the established minimum prices, as determined and approved by seventy-five percent (75%) of the practitioners in that particular area." That Section 5 be stricken in its entirety, and that Section 1 be amended in line 28 by deleting "and continually" and substituting in lieu thereof the word "or". And as amended do pass.

Report adopted.

LYNCH, Chairman.

Mr. Speaker:

We, your Committee on Townships and Counties, having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14 do not pass but that Substitute House Bill No. 14 introduced by Committee on State Boards and Offices: A bill for an act entitled: "An act to amend Sections 4884, 4884.1 and 4885, Revised Codes of Montana, 1935, and Section 4916 of the Revised Codes of Montana as amended by Chapter 139 of the Laws of 1937, relating to mileage for members of the Legislative Assembly, state officers, county officers, township officers, jurors, witnesses, sheriffs and all other persons." Do pass.

PARKER of Wibaux,
Vice-Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the Speaker be authorized and directed to appoint a committee of three to act jointly with a like committee from the Senate, in conformity with the Governor's request in his message to the House yesterday.

It was moved by Goodwin, duly seconded, that the House reconsider its action on House Bill No. 92.

On substitute motion, it was moved by Tonn, duly seconded, that the motion by Goodwin be laid on the table.

A roll call, to be entered in the Journal, was requested by the required number and the motion was carried by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Carlson, Castles, Cole, Dahlquist, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Friedl, Green, Hageman, Harken, Holding, Hess, James, Kemmis, Kirscher, Laubach, Lippard, Lowe, Lynch, McKenna, McMichael, Martin of Fergus, Miller, Murray, Nelson, Newell, Oliver, Parker of Wibaux, Petersen, Potter, Rasmussen, Reed, Saylor, Scott, Simpson, Spiegel, Tonn, Tyler, Vanek, Winters. Total 54.

Noes: Ballard, Busch, Byrne, Cannon, Clifford, Cummings, Curran, Davey, Dillavou, Freshman, Gebhardt, Goodwin, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, LaBonte, Lehrkind, Loughran, McDaniel, McGreevey, Martin of Madison, Mernin, Morrow, Nash, O'Brien, O'Connor, Parker of Flathead, Parker of Cascade, Rice, Roehl, Scofield, Stevens, Toole, Toomey, White, Williams, Wilson, Zuck, Mr. Speaker. Total 41.

Absent and not voting: Antrim, Armstrong, Flook, Gunderson, Phelan, Watson, Welcome. Total 7.

It was moved by Mernin, duly seconded and carried, that the House request the Senate to request the Governor to return to the House Senate Bill No. 5 for further consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 do not pass.

PETERSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 do pass.

PETERSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 128, respectfully report as follows: That House Bill No. 128 be amended as follows: By erasing the period at the end of Section 1 and adding in lieu thereof a comma and the following words and figures: "when the combined income of husband and wife exceed two hundred dollars (\$200.00) per month; and that the provisions of this act shall not apply to employees of the State Custodial Institution." And as so amended, do pass.

PARKER of Wibaux,
Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 105, respectfully report as follows: That House Bill No. 105 do not pass.

ANTRIM, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read third time and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

Senate Bill No. 32, by Haynes.

Senate Bill No. 43, by Gilbert.

Senate Bill No. 44, by Liggett and Balgord.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day recommended for non-concurrence in the Senate, and the same are herewith returned to the House:

Substitute House Bill No. 13, by Committee on Privileges and Elections.

House Bill No. 16, by Ahern.

House Bill No. 32, by Nash and Toomey.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

House Bill No. 206: Introduced by Zuck, et. al: A bill for an act entitled: "An act providing for instruction in visual education in the public

elementary and secondary schools of the state; providing for the preparing of courses of instruction therein; for the appointing of a supervisor of visual education; for the establishing and appropriating funds to carry out the provisions of this act." Referred to Committee on Appropriations.

House Bill No. 207: Introduced by O'Connor and Byrne: A bill for an act entitled: "An act authorizing and empowering the Governor of the State of Montana, with the aid of an advisory committee, to make a comprehensive and constructive study of the finances, business, affairs, and policies of the State of Montana, and of its several offices and of all of its bureaus, boards, commissions, departments and institutions for the purpose of disclosing whether there exist any abuses, inefficiency, duplication of work or services, or undue, unnecessary, extravagant or wasteful expenditures of state or public money or funds, and for the purpose of disclosing whether any of such offices, bureaus, boards, commissions, departments or institutions may be abolished, reorganized or consolidated for the purpose of doing away with duplication of work or services, reducing expenditures of state and public money or funds, and generally simplifying the operations of the state government, its institutions and departments, and providing some method or system for the conduct of its finances, business, affairs and policies in a more uniform, orderly, business-like and economical manner; authorizing the governor to employ experts to make such study; Providing for reports to be made to the Governor during the progress of such study and after the same is fully completed; authorizing the Governor, with the advice of the advisory committee, to adopt and put into effect any recommendation or recommendations contained in any report, when approved by him, and when no legislative action is necessary therefor; providing for a report by the governor, after the completion of such study, to the Twenty-eighth Legislative Assembly, providing for an appropriation to effect the purposes of this act; providing that the Governor may authorize the issuance of subpoenas and administration of oaths, repealing all acts in conflict herewith." Referred to Committee on Appropriations.

Senate Bill No. 32: Introduced by Haynes: A bill for an act entitled: "An act to amend Section 10401 of the Revised Codes of Montana, 1935, relating to the appointment of guardians of minors; providing when such appointment may be made, and the notice to be given of the hearing of the petition, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 43: Introduced by Gilbert: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this state, and all proceedings heretofore taken for the authorization and issuance of bonds by such public bodies." Referred to the Committee on Judiciary.

Senate Bill No. 44: Introduced by Liggett and Balgord: A bill for an act entitled: "An act relating to the use of county road equipment and machinery on other than county roads and to permit the owner or one in control of real estate in the State of Montana to apply to the Board of County Commissioners of the county in which the real estate is situated for the permission to use county owned equipment and machinery, for improving said real estate, fixing the terms of said application and granting the Board of County Commissioners of the several counties of the state discretionary powers to lease or rent such equipment and machinery which may at the time be not in use and operation in said county." Referred to the Committee on Townships and Counties.

MOTIONS AND RESOLUTIONS

It was moved by Antrim, duly seconded and carried, that consideration of House Bill No. 153 on General Orders be passed for the day.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following recommend:

That House Bill No. 8 be amended as follows: Amend the title by striking out in line one thereof the word "statutes" and inserting in lieu thereof the word "codes"; and that the same do pass as amended.

That House Bill No. 68 do pass.

That consideration of Substitute House Bill No. 69 be passed for the day.

That House Bills Nos. 86, 93, 108, 113 and 115 do pass.

O'CONNOR, Chairman.

It was moved by O'Connor, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by O'Brien, duly seconded, that House Bill No. 8 be segregated from the report of the Committee of the Whole.

A call of the House was demanded by the required number.

It was moved by Cannon, duly seconded and carried, that further call of the House be dispensed with.

A roll call, to be entered in the Journal, was requested by the required number, and the motion by O'Brien, carried by the following vote:

Ayes: Ahern, Antrim, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Byrne, Cannon, Clifford, Cummings, Curran, Dahlquist, Davey, Dougherty, Freshman, Friedl, Goodwin, Harken, Holding, Hess, Horrigan, James, Kirschner, Lehrkind, Lippard, Loughran, Lynch, McGreevey, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Rice, Saylor, Scott, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, Zuck, Mr. Speaker. Total 52.

Noes: Allen, Anderson, Anson, Armstrong, Aronson, Blenkner, Busch, Carlson, Castles, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Gebhardt, Green, Hageman, Hammond, Harrison, Hazelbaker, Hunter, Kemmis, LaBonte, Laubach, Lowe, McDaniel, McKenna, McMichael, Martin of Madison, Miller, Morrow, Newell, O'Connor, Oliver, Parker of Flathead, Potter, Reed, Roehl, Scofield, Simpson, Toomey, White, Williams, Wilson, Winters. Total 46.

Absent and not voting: Cole, Gunderson, Watson, Welcome. Total 4.

Whereupon, the report of the Committee of the Whole was adopted as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 89, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday, February 6, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-SECOND DAY

House of Representatives,
Helena, Montana,
February 6, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson and Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-first Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Antrim, Cummings, Hazelbaker, Harrison: A bill for an act entitled: "A bill for an act to amend Sections 3745, 3746, and 3747 of the Revised Codes of Montana of 1935 relating to the licensing of guides."

By Aronson: A bill for an act entitled: "An act to amend Sections 5668.35, 5668.36, 5668.37, 5668.38 and 5668.39 Revised Codes of Montana, 1935, relating to the establishment, construction, equipment, maintenance, management and operation of airports and landing fields by counties, cities and towns; authorizing joint action of such bodies and their right to exercise eminent domain therefor, the levy of taxes for the purposes enumerated and the borrowing of money and issuance of bonds therefor, but only after submission to a vote of the taxpayers; and validating levies and expenditures heretofor made, separately or jointly."

By Byrne: A bill for an act entitled: "An act to amend Section 2215.9 of the Revised Codes of Montana of 1935, relating to the effect of tax deeds issued under the Laws of the State of Montana."

By Carlson and O'Connor: A memorial entitled: "A memorial to congress requesting the enactment of a bill introduced by the Honorable Burton K. Wheeler in the United States Senate seeking the establishment of the United States assay office at Helena."

By Toole: A memorial entitled: "A resolution memorializing the president of the United States, and the Federal Housing Administrator to apply the Federal Housing Act to rural localities within the State of Montana."

By Committee on Education: A bill for an act entitled: "An act providing "transportation services for all public school pupils residing three or more miles from an open public school; defining "transportation" for the purpose of this act so as to include services furnished in lieu of "transportation"; providing that school boards may operate buses and

contract for "transportation" of pupils; providing that school boards may close schools and transport pupils to another school and providing that school boards shall pay for its pupils attending school in another district, defining the duties of teachers and county superintendents in such cases; providing that no school money shall be expended for "transportation" except to persons or firms holding legal contracts for the same; providing for the letting of such contracts and filing of the same; providing requirements as to buses, drivers, and the operations of buses, fixing the amount of liability insurance to be carried by school districts, fixing a schedule for individual "transportation" and setting forth limitations and exceptions; providing that any child attending other than a public school may ride on a school bus; designating who is eligible to receive "transportation" from school districts; providing for the measurement of "transportation", distances in dispute and the settlement of "transportation" matters in controversy; providing for state reimbursement for "transportation" and limiting the amount thereof; providing a budget and levy for "transportation"; and repealing Section 1010 of the Revised Codes of Montana, 1935."

By Toole: A bill for an act entitled: "An act to amend Section 9430.2 of the Revised Codes of Montana of 1935, relating to exemptions of truck or automobile from execution."

By Oliver and Esp: A bill for an act entitled: "An act to amend Section 3417.4 of the Revised Statutes of Montana, 1935, relating to bounty on predatory animals, providing for a bounty on coyotes, during the entire year, providing for the disposition of the hides of coyotes during certain months of the year, defining the duty of the sheriffs in relation to the provisions of this act; providing for appropriations to carry this act into effect and fixing a date when this act shall become inoperative and repealing all acts and parts of acts in conflict herewith."

By Nash: A bill for an act entitled: "An act providing a method of procedure for determining eligibility to fire department relief associations."

By Stevens: A bill for an act entitled: "An act relating to gambling devices; providing for the operation thereof under license; providing for certain license fees and the use of the money obtained therefrom; prohibiting minors from playing such devices; and designating the penalties for violations of the provisions thereof."

By Stevens: A bill for an act entitled: "An act providing for the free admission of students attending schools or colleges in the State of Montana to all athletic events and dances sponsored or supervised by said schools or colleges or in which school students or college students are participating."

By Stevens: A bill for an act entitled: "An act prescribing the hours of service for persons operating or driving commercial motor vehicles, or tractors, upon the public streets or highways of the State of Montana; providing exemptions therefrom; providing penalties for a violation thereof, and repealing all acts and parts of acts in conflict herewith."

By Morrow, Burke, Lehrkind: A bill for an act entitled: "An act to create the Eighteenth Judicial District of the State of Montana to be composed of the County of Gallatin and to provide and designate the powers, duties, term and compensation of the judge of said Eighteenth Judicial District and to provide that the Sixth Judicial District of the State of Montana shall hereafter embrace the territory within the counties and of Sweetgrass."

By Ahern, Forbregd, Rasmussen: A bill for an act entitled: "An act authorizing and permitting county commissioners to lease county property for oil and gas development by permitting a lessee to drill wells and

pay to the county for such lease a royalty of not less than twelve and one-half per cent (12½%) of the oil and gas produced and saved from all lands so leased."

By Harrison by request: A bill for an act entitled: "An act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the federal government in the development and administration of such projects of the federal government, to acquire or lease such projects and to sell certain projects to the federal government; to authorize public bodies to assist such projects of housing authorities and of the federal government; and to make obligations issued for such projects of housing authorities legal investments."

By Toole: A bill for an act entitled: "An act to repeal Chapter 129, Session Laws of 1937, and to require every person registering a motor vehicle in the State of Montana to furnish proof of financial responsibility with respect to liability for bodily injuries or death arising from the ownership, maintenance or use of such motor vehicle on the highways of the state by the registrant or by any other person with his express or implied consent; providing the nature of public liability policy or surety bond or deposit which may be issued as such proof; providing for revocation of registration upon cancellation of such policy or bond; providing for the regulation of risk classification and the establishment of premium charges by the Commissioner of Insurance; providing for a review of his orders, findings and decisions in the courts; providing for the procedure on complaints relative to cancellation of insurance policies or refusal of companies to issue policies; providing penalties and repealing all acts and parts of acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 169 and House Joint Memorial No. 3, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 113, 115, 86, 108, 93.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 7, respectfully report as follows: That House Joint Memorial No. 7 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 be re-referred to the Committee on Judiciary.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 51, respectfully report as follows: That House Bill No. 51 do not pass.

HESS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Clifford, duly seconded and carried, that House Bill No. 139 be taken from General Orders and referred to the Committee on Judiciary.

Speaker Pro Tem in the Chair.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

House Bill No. 208: Introduced by Hunter, Oliver, Parker of Flathead, LaBonte, Anson, Cannon, Lippard, Tyler and Lynch: A bill for an act entitled: "An act to appropriate money for the Montana State Park Commission to provide for expenditures that said commission is authorized to incur for the period beginning July, 1941, and terminating June 30, 1943." Referred to Committee on Appropriations.

House Bill No. 209: Introduced by Murray, Beazley, McGreevey, Clifford: A bill for an act entitled: "An act to amend Section 9429 of the Revised Codes of Montana of 1935 relating to exemption of earnings of judgment debtors." Referred to Committee on Judiciary.

House Bill No. 210: Introduced by Scott: A bill for an act entitled: "An act repealing Chapter 96 of the political Code of the Revised Codes of Montana of 1935, being Sections 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047 and 1048, relating to rural school districts." Referred to Committee on Education.

House Bill No. 211: Introduced by Toole and Toomey: A bill for an act entitled: "An act to amend Section 5939 of the Revised Codes of Montana, 1935, relating to the payment of dividends by directors of corporations." Referred to Committee on Corporations other than Municipal.

House Bill No. 212: Introduced by Toole and Toomey: A bill for an act entitled: "An act authorizing directors of a corporation to amend its articles of incorporation to decrease its capital stock by cancelling all or any part of the shares of stock held in the treasury of the corporation." Referred to Committee on Corporations other than Municipal.

House Bill No. 213: Introduced by Committee on Federal Relations: "A bill for an act to appropriate money for the sponsorship of the writers' project, a division of the works project administration, by the State of Montana." Referred to Committee on Appropriations.

House Bill No. 214: Introduced by Toole, Cummings, Stevens, Gunderson, Parker of Cascade: A bill for an act entitled: "An act to appropriate money for the purchase and placing of a suitable statute of Charles Marion

Russell in the National Statuary Hall in the national capitol building at Washington, D. C." Referred to Committee on Appropriations.

House Bill No. 215: Introduced by Committee on Education: A bill for an act entitled: "An act to amend Section 1200.4 of the Revised Codes of Montana of 1935, as amended by Chapter 38 of the Session Laws of 1937, and as amended by Chapter 169 of the Session Laws of 1939 creating a state public school general fund and providing for the disposal of school moneys." Referred to Committee on Ways and Means.

House Bill No. 216: Introduced by Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2761 of the Revised Codes of Montana of 1935 relating to tax levy for the purpose of maintaining the department of state fire Marshal and for the expenditure of funds; and repealing of acts in conflict." Referred to Committee on Revenue and Taxation.

House Bill No. 217: Introduced by Committee on Social Security: A bill for an act entitled: "An act to amend certain sections and subsections of Chapter 82 of the 1937 Session Laws, being the Public Welfare Act of the State of Montana, as follows: Subsection (c) of Section III of Part I, as amended by Section 1 of Chapter 129 of the 1939 Session Laws; Subsection (b) of Section VI of Part I, as amended by Section 2 of Chapter 129 of the 1939 Session Laws; Subsection (b) of Section XI of Part I, as amended by Section 8 of Chapter 129 of the 1939 Session Laws; Subsection (a) of Section II of Part II, as amended by Section 11 of Chapter 129 of the 1939 Session Laws; Section VI of Part II, as amended by Section 15 of Chapter 129 of the 1939 Session Laws; Section VII of Part II; Section IX of Part II, as amended by Section 14 of Chapter 129 of the 1939 Session Laws; Section IV of Part V; Subsection (h) of Section IV of Part VI; and to repeal Subsection (a) of Section IV of Part VI; all of which sections, subsections and amendments thereto relate to the general welfare and the social security of the people of the State of Montana." Referred to Committee on Social Security.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 113 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 85.

Noes: Antrim. Total 1.

Absent and not voting: Ahern, Burke, Busch, Curran, Green, Hazelbaker, Laubach, Lowe, Morrow, Murray, O'Connor, Parker of Cascade, Rice, Watson, Welcome, Mr. Speaker. Total 16.

House Bill No. 115 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Byrne, Cannon, Carlson, Castles, Clifford,

Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Mernin, Miller, Murray, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck. Total 74.

Noes: Ahern, Beazley, Dahlquist, Friedl, Hageman, Hunter, James, Kemmis, Martin of Fergus, Nash, Nelson, Parker of Cascade, Rasmussen, Reed, Roehl, Saylor, Tonn, Tyler. Total 18.

Absent and not voting: Burke, Busch, Green, Lowe, Morrow, O'Connor, Watson, Rice, Welcome, Mr. Speaker. Total 10.

House Bill No. 86 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck. Total 73.

Noes: Byrne, Clifford, Gunderson, Hess, Horrigan, James, Kemmis, Lippard, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Parker of Cascade, Spiegel, Tonn, Vanek. Total 18.

Absent and not voting: Burke, Busch, Green, Holding, Lowe, Morrow, O'Connor, Rice, Watson, Welcome, Mr. Speaker. Total 11.

House Bill No. 108 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Byrne, Cannon, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 86.

Noes: Kemmis. Total 1.

Absent and not voting: Burke, Busch, Castles, Eggenberger, Green, Lehrkind, Lowe, Morrow, O'Connor, Rice, Tonn, Watson, Welcome, Mr. Speaker, Nash. Total 15.

House Bill No. 93 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Held-

ing, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 88.

Absent: Burke, Busch, Cummings, Curran, Green, Lowe, Morrow, O'Connor, Rice, Watson, Welcome, Mr. Speaker. Total 12.

Not voting: Horrigan, Tonn. Total 2.

It was moved by Byrne, duly seconded and carried, that consideration of General Orders be deferred until the afternoon session.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:20 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By the Committee on Public Safety by request: A bill for an act entitled: "An act to amend Sections 2677, 2678, 2679, 2681, 2682, 2683, 2685, 2688, 2690, 2691, 2692, 2701, 2702, of the Revised Codes of Montana of 1935, and Sections 2711.1 and 2711.4 of said codes as amended by Chapter 174, Laws of Montana of 1937, relating to electrical construction and repealing all acts and parts of acts in conflict herewith."

By Busch: A bill for an act entitled: "An act to provide for the conservation of under-ground water; providing for the casing and capping of artesian and deep water wells; providing for the regulation of artesian and deep water wells and prohibiting the waste of water therefrom; providing a penalty for the violation of the provisions of this act and prescribing the duties of the State Engineer in relation thereto."

By Cannon: A bill for an act entitled: "An act to define and regulate the business of making loans in the amount of \$300.00 or less; to permit the licensing of persons engaged in such business; to authorize such licenses to make charges at a greater rate than unlicensed lenders; to prescribe maximum rates of charge which licensees are permitted to make; to regulate assignments of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of \$300.00 or less; to provide for the administration of the act and for the issuance of rules and regulations therefor; to authorize the making of examinations and investigations and the publication of reports thereof; to provide for a review of decisions and findings of the Superintendent of Banks under this act; and to prescribe penalties; and to repeal all acts and parts of acts in conflict herewith."

By Toomey and Ahern: A bill for an act entitled: "An act to amend Section 6707 of the Revised Codes of Montana of 1935, relating to limitation of the term of leases of agricultural lands."

By Toomey and Ahern: A bill for an act entitled: "An act to amend Chapter Twenty-eight of the Code of Civil Procedure of the Revised Codes of Montana of 1935 by adding thereto a section to be numbered Section 9046.1, relating to limitations of actions for the recovery of dividends declared by Montana corporations."

By Committee on Education: A bill for an act entitled: "An act amending Chapter One Hundred Eleven (111) of the Revised Codes of Montana, 1935, by repealing Sections 1187 to 1197 inclusive, and Section 1200, abolishing the State Textbook Commission, all relating to the State Textbook Commission, and by adding thereto certain sections providing for the adoption of textbooks by school superintendents, principals, and boards of education in all districts employing an administrative head and by the county superintendent of schools for all other districts within the county, upon recommendation of a committee of three (3) persons appointed by the county superintendent, who are actually engaged in public school work."

By Toomey and Ahern: A bill for an act entitled: "An act to amend Sections 10205 and 10206 of the Revised Codes of Montana of 1935, and repealing Sections 10207, 10208 and 10209 of the Revised Codes of Montana, 1935, relating to the sale of mining property in estates of deceased persons."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 68.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bills Nos. 168, 128 and 187.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 146, respectfully report as follows: That House Bill No. 146 be amended as follows:

On page two (2) line eighteen (18) after the word "works" strike out the word "shall" and insert in lieu thereof the word "may".

And on page two (2) line twenty-two (22) after the figure "6" insert the words "if so created".

And strike out all of Section Thirteen (13). And that the bill as amended do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 do pass.

PHELAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 156, respectfully report as follows: That House Bill No. 156 do pass.

CANNON, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 218: Introduced by Lippard: A bill for an act entitled: "An act to amend Sections 1 and 2 of Chapter 94 of the Laws of

the Twenty-fifth Legislative Assembly of the State of Montana, relating to the amount of license tax levied and to be collected and paid on all persons, associations, or corporations owning or operating a telephone business in this state." Referred to Committee on Revenue and Taxation.

House Bill No. 219: Introduced by Laubach, Ahern, Reed, Hazelbaker, Stevens, Nash: A bill for an act entitled: "An act to amend Section 1466 of the Revised Codes of Montana, 1935, relating to the compulsory education of deaf and blind persons by adding a new paragraph thereto providing for the duty of the president of the Montana school for the deaf and blind to investigate persons reported by school district clerks and to make application for admission of such persons into the Montana school for the deaf and blind upon failure of parents or guardians to do so after notice." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 220: Introduced by Laubach, Ahern, Reed, Hazelbaker, Stevens, Nash: A bill for an act entitled: "An act to amend Section 1465 of the Revised Codes of Montana, 1935, relative to the duties of school district clerks and duly licensed physicians to report hard of hearing, deaf, partially sighted and blind children to the president of the school for the deaf and blind in Great Falls, and to enact Section 1465.1 of the Revised Codes of Montana, 1935, relative to the duty of physicians to report the names of such persons eighteen (18) years of age and under to said officer." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 221: Introduced by Laubach, Ahern, Reed, Hazelbaker, Stevens, Nash: A bill for an act entitled: "An act to amend Section 3 of Chapter 43 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana of 1937, relating to the establishment and operation of a school for the deaf and blind at Great Falls, Montana and providing for the discontinuance of the school for the deaf and blind at Boulder, Montana, by providing for the appointment of a president, providing the term of such appointment, and outlining the qualifications of said president and providing for the removal of said president, and providing for employment of a field worker and prescribing his duties and salary." Referred to Committee on State Institutions, Public Buildings and Grounds.

THIRD READING

House Bill No. 68, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Carlson, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dougherty, Egenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGeevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 84.

Absent and not voting: Byrne, Cummings, Dillavou, Green, Harrison, Holding, Horrigan, Lowe, Parker of Flathead, Parker of Cascade, Petersen, Toole, Toomey, Tyler, Vanek, Watson, Welcome, White. Total 18.

CONSIDERATION OF GENERAL ORDERS

It was moved by Cannon, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Armstrong in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That the enacting clause be stricken from House Bill No. 8.

That Substitute House Bill No. 69 be amended as follows: Amend Section 4 in line 5 thereof by striking the words "by any such political subdivision" and in line 6 by striking the words "situated therein" and by inserting after the word "property" the words "of any political subdivision".

Amend Section 7 in line 8 thereof by striking the figures "1945" and inserting in lieu thereof the figures "1943"; and that Substitute House Bill No. 69 do pass as amended.

That House Bill No. 120 do pass.

That House Bill No. 122 do pass.

That House Bill No. 153 be amended as follows:

Amend Section 1, in line 8, after the word "method" by striking the period and inserting a comma and the following "providing that an expenditure in excess of twenty-five cents (25c) for each one thousand (1,000) feet board measure, or the equivalent thereof, of any merchantable timber cut shall not be required."

Amend Section 1, by striking out lines 22, 23, and line 24 up to the word "unless" and inserting in line 24 before the word "unless" the words "equal to twenty-five cents (25c) for each one thousand (1,000) feet board measure delivered under such contract."

Amend Section Two in line 11, after the word "thereof," by inserting the words "which shall not be in excess of twenty-five cents (25c) per thousand (1,000) feet board measure, or the equivalent thereof, of any merchantable timber," and that House Bill No. 153 do pass as amended.

That House Joint Memorial No. 5 do pass.

That Senate Joint Memorials Nos. 7 and 9 be concurred in.

That House Bill No. 89 do pass.

ARMSTRONG, Chairman.

It was moved by Armstrong, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Eggenberger, duly seconded, that House Bill No. 8 be segregated from the report of the Committee of the Whole.

A call of the House was demanded by the required number. After the clerk called the roll, on motion by Cannon, duly seconded and carried, further call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number and a motion to segregate House Bill No. 8 from the report of the Committee of the Whole, lost by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Blenkner, Busch, Castles, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Gebhardt, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, Kemmis, LaBonte, Laubach, McDaniel, McKenna, McMichael, Martin of Madison, Miller, Morrow, Newell, O'Connor, Oliver, Potter, Reed, Roehl, Scofield, Simpson, Tonn, Toomey, White, Williams, Wilson, Winters, Zuck, Friedl. Total 47.

Noes: Ahern, Antrim, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Byrne, Cannon, Clifford, Cole, Cummings, Curran, Dahlquist, Dougherty, Freshman, Goodwin, Gunderson, Harken, Holding, Hess, James, Kirscher,

Lehrkind, Lippard, Loughran, Lynch, Martin of Fergus, McGreevey, Mernin, Murray, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rice, Saylor, Scott, Spiegel, Stevens, Toole, Tyler, Mr. Speaker. Total 48.

Absent and not voting: Carlson, Green, Lowe, Rasmussen, Vanek, Watson, Welcome. Total 7.

Whereupon, the Committee of the Whole report was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day refused to request His Excellency, the Governor, to return Senate Bill No. 5 to the House for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Friday, February 7th, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-THIRD DAY

House of Representatives,
Helena, Montana,
February 7, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson and Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-second Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

COMMUNICATIONS AND PETITIONS

Mr. E. J. Stromnes, Speaker
House of Representatives,
Capitol Building.

Dear sir: As directed in House Joint Memorial No. 2, I have this day forwarded certified copy of this memorial to the Senate and House of Representatives of the United States, and to each of the Senators and Representatives in Congress from Montana.

Very truly yours,

SAM W. MITCHELL,
Secretary of State.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By the Committee on Horticulture: A bill for an act entitled: "An act to amend the following section of the Revised Codes of Montana, 1935, namely: Sections 4265.1 as amended by Chapter 89 of the Session Laws of 1939, relating to grades of apples, Section 4265.3, relating to grade of bulk apples; Section 4265.4, relating to standard size of apple container, and repealing Section 4265.5."

By Murray: A bill for an act entitled: "An act amending Sections 2816 and 2922 of the Revised Codes of Montana, 1935, and adding a new part to Chapter 256, Volume 2, of the Political Code, Revised Codes of Montana, 1935, to be designated as Part 6, containing Sections 3033.1 to 3033.4, inclusive, relating to compensation for the occupational disease of arsenic poisoning."

By Toole, Lippard, Cummings, Toomey, O'Connor, and Anson: A bill for an act entitled: "An act to regulate, license and authorize games of chance, gambling games and gambling devices; providing for the operation thereof under license by persons qualified under this act; providing for license fees and the allocation of the revenue derived from license and fines; prohibiting minors and persons under the influence of intoxicating liquor from playing and loitering about such games; prescribing the hours during which games may be played and the place, manner and conditions for the operation thereof; providing for the revocation of licenses; providing penalties for the violation of this act; and repealing all acts and parts of acts in conflict herewith."

By McGreevey, Phelan, Saylor, Potter, Banka, Dillavou, Hazelbaker, Cole, Lynch, Armstrong, Spiegel, Mernin: A bill for an act entitled: "An act to amend Section 632, of the Revised Codes of Montana, 1935, relating to the date of holding primary elections and the purpose thereof by providing that primary elections shall be held on the first Tuesday in September following the second Monday."

By Martin of Fergus, Flook, Kemmis, Eggenberger, Winters, Phelan, Harken, and Vanek: A bill for an act entitled: "An act requiring public utilities to file an annual statement of the value of all property for rate making purposes and prescribing the method of assessing such properties for taxation."

By Toomey at request of Commission on Uniform Laws: A bill for an act entitled: "An act providing for periods of limitation within which actions may be commenced in the courts of this state and to make uniform the laws of the states in reference thereto."

By Toomey at request of Commission on Uniform Laws: A bill for an act entitled: "An act regulating the sale, transfer and possession of pistols, providing for licenses, prescribing penalties for violating the act and for committing certain crimes when armed and limiting probation and parole of persons convicted of these crimes, changing the law of evidence and of arrest, and to make uniform the law relating thereto."

By Toomey at request of Commission on Uniform Laws: A bill for an act entitled: "An act empowering the court to appoint expert witnesses in civil and criminal proceedings, providing for conferences and joint reports of expert witnesses, and the compensation of expert witnesses, and to make uniform the law with reference thereto."

By Toomey at request of Commission on Uniform Laws: A bill for an act entitled: "An act concerning conditional sales and to make uniform the law relating thereto."

By Toomey at request of Commission on Uniform Laws: A bill for an act entitled: "An act concerning contribution among tortfeasors, release of tortfeasors, procedure enabling recovery of contribution, and making uniform the law with reference thereto."

By Toomey at request of Commission on Uniform Laws: A bill for an act entitled: "An act concerning the taking of depositions in this state to be used in any foreign jurisdiction and to make uniform the law with reference thereto."

By Toomey at request of Commission on Uniform Laws: A bill for an act entitled: "An act concerning the proof of statutes of other jurisdictions and to make uniform the law with reference thereto."

By Toomey at request of Commission on Uniform Laws: A bill for an act entitled: "An act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto."

By LaBonte: A bill for an act entitled: "An act to amend Section 3694.1 of the Revised Codes of Montana of 1935, relating to the penalty for violations of certain laws relating to fish and game, but providing a minimum penalty for the illegal possession of game or fur bearing animals."

By Stevens: A bill for an act entitled: "An act to permit actions at law against the State Highway Commission for injury to property or persons or death due to the negligent construction or maintenance of arterial highways, to provide for the payments of judgments in such cases and to absolve counties and county commissioners from liability in such cases."

By Friedl by request: A bill for an act entitled: "An act providing for the enforcement of the unfair practices act."

By Mernin: A bill for an act entitled: "An act relating to the power of any city or town to establish by ordinance a standard of time within the corporate limits of the city or town earlier than the last Sunday in March in each year and not later than the last Sunday of October of the same year, commonly called day light saving time."

By Toole: A bill for an act entitled: "An act to amend Section 4875 of the Revised Codes of Montana, 1935, to provide for the number of deputies to be allowed the county clerk, clerk of the district court, and sheriff in each county, and to provide for the selection in judicial districts having more than one district court judge of a person by the judges of the district court to be appointed by the sheriff as a deputy and whose duty it will be to act as an attendant upon the district court and perform the duties of bailiff of said court in addition to his other duties as deputy under sheriff, and repealing all acts and parts of acts in conflict therewith."

By Murray and Horrigan: A bill for an act entitled: "An act to amend Sections 3 and 19 of Chapter 137 of the Session Laws of 1937, as amended by Chapter 137 of the Session Laws of 1939, relating to 'unemployment compensation law', entitled an act providing for unemployment compensation; creating a state unemployment compensation commission; establishing an unemployment compensation fund and providing for the administration, distribution and investments thereof; providing for the assessment and collection of contributions upon payroll of employers; creating a state employment service and providing an appropriation therefor; providing penalties for violations."

By Clifford, Murray and McGreevey: A bill for an act entitled: "An act regulating sanitation and health, providing for a Plumbers Examining Board, fixing its term of office and prescribing its duties and qualifications providing for the examination of master and journeymen plumbers, prescribing a license and setting fees therefore, and providing for the dis-

position of such fees, authorizing cities to make rules and regulations not inconsistent with this act, prescribing powers and duties of the State Board of Health, authorizing employment of assistants, defining terms used in this act, and repealing Sections 5183 to 5193, inclusive, of the Revised Codes of Montana of 1935, and all acts and parts of acts in conflict therewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 122, 120 and 89, Substitute House Bill No. 69, and House Joint Memorial No. 5.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 61, 176, 28, 124, 156, Substitute House Bill No. 14, and House Joint Memorial No. 7, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 do not pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 214, respectfully report as follows: That House Bill No. 214 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do pass.

CUMMINGS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 do pass.

CUMMINGS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings and Grounds, having had under consideration House Bill No. 221, respectfully report as follows: That House Bill No. 221 do pass.

Report adopted.

SPIEGEL, Chairman.

Mr. Speaker: We, a majority of your Committee on Fish and Game, having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 be amended as follows: In line 13 following the word "Commission" add the following words: "With the consent of the Governor." At the end of Section 1 after the word "Montana" add the following: "Providing further, that nothing in this act shall be construed as granting to the government of the United States, or the State of Montana, the power to condemn private property for any of the purposes contemplated in the Pittman-Robertson Act or this act. Provided further that nothing in this act or by this acquiescence to the Pittman-Robertson shall ever be construed as waiving any of the rights reserved to the people of the State of Montana and by the State of Montana in the Ninth and Tenth Amendments to the Constitution of the United States.", and as so amended do pass.

CANNON,
ARMSTRONG,
BURKE,
LOWE,
CUMMINGS,
BALLARD,
McMICHAEL.

Mr. Speaker: We, a minority of your Committee on Fish and Game, having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 be amended as follows: In line 13 following the word "Commission" add the following: "with the consent of the Governor." At the end of Section 1 after the word "Montana" add the following: "Provided further, that nothing in this act shall be construed as granting to the government of the United States, or the State of Montana, the power to condemn private property for any of the purposes contemplated in the Pittman-Robertson Act or this act. And provided further, that any project created under the Pittman-Robertson Act or this act may be surrendered or abandoned by act of the Legislature of the State of Montana. Provided that nothing in this act or by this acquiescence to the Pittman-Robertson Act shall ever be construed as waiving any of the rights reserved to the people of the State of Montana and by the State of Montana in the Ninth and Tenth Amendments to the Constitution of the United States.", and as so amended, do pass.

FEWKES,
ESP,
WINTERS,
CARLSON,
BANKA,
McGREEVEY.

It was moved by Cannon, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Fewkes, duly seconded, that the report of the minority be adopted. Motion was lost, whereupon, the report of the majority was adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 be referred to the Committee on Judiciary.

LEHRKIND, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Murray, Spiegel and Mernin: A bill for an act entitled: "An act to amend Section 3432 of the Revised Codes of the State of Montana, 1935, relating to ventilation of quartz mines by modifying the provisions thereof and to create Subsection 2 of Section 3432, extending the same to all hazardous occupations except domestic service or agricultural labor."

By Stevens: A bill for an act entitled: "An act to license the game of Beano; providing for the regulation of Beano games by County Fair Boards or the Board of Directors of District Fairs and the State Board of Equalization; defining the game Beano; providing for licenses to be issued and the proceeds to go to the county poor fund; providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith."

By Spiegel: A bill for an act entitled: "An act to amend Section 2408.2, Revised Codes of Montana, 1935, relating to a natural gas distributors and transporters license tax; providing for amount and computation thereof, measurement of gas transported and distributed; and repealing all acts and parts of acts in conflict therewith."

By the Committee on Military Affairs: A bill for an act entitled: "An act to provide for a state guard, its authority and name, organization, rules and regulations, pay and allowances, use of property, use within and without state, qualifications and exemptions of personnel, and providing for permission to forces of other states to enter the State of Montana under certain circumstances."

By Clifford and Murray: A bill for an act entitled: "An act authorizing the Montana State Fish and Game Commission to negotiate and agree with the Flathead Indians and the Flathead Nation to adopt any and all rights or claims granted them by the United States of America under the treaty with the Flathead Indians of 1855."

By Mernin: A bill for an act entitled: "An act to make it unlawful for any manufacturer, wholesaler, jobber or others to ship any merchandise, wares, goods or machinery into the State of Montana unless the same has been ordered by the consignee."

By Parker of Cascade, Morrow, Gunderson, Curran, Cummings, O'Brien, McGreevey, and Stevens: A bill for an act entitled: "An act to declare valid and legal the creation and establishment of housing authorities in the State of Montana under the provisions of the housing authorities law, and all contracts, bonds, notes, agreements, obligations and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto."

By Parker of Cascade, Morrow, Gunderson, Curran, Cummings, O'Brien, McGreevey, and Stevens: A bill for an act entitled: "An act to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States government, shall be security for all public deposits and negotiable and legal investments for the state and public officers, municipal corporations, political subdivisions, and public

bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries."

By Parker of Cascade, Morrow, Gunderson, Curran, Cummings, O'Brien, McGreevey, and Stevens: A bill for an act entitled: "An act to amend the housing authorities law by amending Section 5309.2 of Chapter 404 of the Revised Codes of Montana of 1935, providing for a finding and declaration of necessity for slum clearance and projects to provide housing accommodations for persons of low income in urban and rural areas of the state by amending Section 5309.10 of said Chapter, providing for the cooperation of housing authorities; repealing Section 5309.25 of said Chapter, which provides that bonds of housing authorities are legal investments; by incorporating a new section in said chapter to be known as Section 5309.25, granting additional powers to housing authorities in relation to contracts; and by incorporating new sections in said chapter, to be known as Sections 5309.27A, 5309.27B, 5309.27C, 5309.27D, 5309.27E and 5309.27F, providing for the creation of housing authorities for counties and defining their powers, authorizing such authorities to undertake housing projects for farmers of low income, and providing that housing projects shall not be operated for profit."

By the Committee on Military Affairs: A memorial entitled: "A memorial to the Federal Hospital Board in charge of the allocation of funds appropriated by Congress for the construction of veterans hospital facilities, requesting the allocation of funds for the addition of hospital facilities at Fort Harrison, Montana."

The Speaker appointed the following committee to act with a like committee from the Senate in carrying out the suggestions in the Governor's message regarding the State College at Bozeman and the Northern Montana School at Havre: Zuck of Roosevelt, Chairman, Clifford of Deer Lodge and Newell of Carbon.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 do not pass.

TOOLE, Chairman.

It was moved by Toole, duly seconded, that the report of the Committee on Judiciary be adopted.

On substitute motion, it was moved by Freshman, duly seconded and carried, that House Bill No. 62 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 52, respectfully report as follows: That House Bill No. 52 do not pass.

BJORNEBY, Chairman.

It was moved by Bjerneby, duly seconded, that the report of the Committee on Privileges and Elections be adopted.

On substitute motion, it was moved by Toomey, duly seconded, that House Bill No. 52 be printed and placed on General Orders.

A roll call, to be entered in the Journal, was requested by the required number, and motion was lost by the following vote:

Ayes: Allen, Anson, Armstrong, Aronson, Blenkner, Busch, Byrne, Dillavou, Eggenberger, Esp, Flook, Gebhardt, Goodwin, Harrison, Hazelbaker, Horrigan, Hunter, LaBonte, Lehrkind, Lowe, McDaniel, Martin of Madison, Miller, O'Connor, Oliver, Parker of Flathead, Potter, Roehl, Scofield, Simpson, Stevens, Toomey, Williams. Total 33.

Noes: Anderson, Ballard, Banka, Beazley, Beck, Bjorneby, Cannon, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Fewkes, Forbregd, Freshman, Friedl, Green, Gunderson, Hageman, Hammond, Harken, Holding, Hess, James, Kemmis, Kirscher, Laubach, Lippard, Loughran, Lynch, McGreevey, McKenna, McMichael, Martin of Fergus, Mermin, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Saylor, Scott, Spiegel, Tonn, Toole, Tyler, Vanek, White, Wilson, Winters, Zuck. Total 62.

Absent and not voting: Ahern, Antrim, Burke, Castles, Watson, Welcome, Mr. Speaker. Total 7.

Whereupon motion by Bjorneby to adopt the report of the Committee on Privileges and Elections was carried.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Substitute Senate Bill No. 18, respectfully report as follows: That Substitute Senate Bill No. 18 be amended as follows: In line 18, after the figures 3592.53, and before the word "be", insert the words, "of the Revised Codes of Montana, 1935." And, as amended, be concurred in.

PHELAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 94, respectfully report as follows: That House Bill No. 94 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 158, respectfully report as follows: That House Bill No. 158 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 161, respectfully report as follows: That House Bill No. 161 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 154, respectfully report as follows: That House Bill No. 154 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 26, respectfully report as follows: That Senate Bill No. 26 be amended as follows: In line 17 of Section 1 after the word "made" insert the words "prior to February 1, 1941," and in Lines 21 and 22 of Section 1 strike out the words "first day of March, 1942," and insert "thirty-first day of May, 1942." and insert after the year "1942." in Line 22 the following: "Any person owning real estate to which the county has taken a tax deed subsequent to February 7, 1939, the effective date of Chapter 11, Session Laws of 1939, and was in possession thereof at the time said tax deed was taken and where the county has not sold said land, shall be permitted to purchase said land or any part thereof by paying the original tax due thereon and without the payment of penalty and interest provided such lands are purchased on or before July 1, 1941."; in-

sert a new section immediately after Section 1 to be numbered Section 2 and worded as follows:

"Section 2. County treasurers and city treasurers, in their respective counties and cities, shall cause to be published, in at least one (1) issue of the official newspaper of such county or city, a notice of such right of redemption and extension of time, such notice to be published within sixty (60) days from the approval of this act. It shall be the duty of the county treasurer of each county to mail notice to delinquent taxpayers to their last known address, advising them of their rights and the amount of delinquent taxes under the provisions of this Chapter, within sixty (60) days after the approval of this act." Section 2 of this bill shall then become Section 3 and Section 3 shall become Section 4. And that as so amended that Senate Bill No. 26 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 6, respectfully report as follows: That Senate Bill No. 6 be not concurred in.

PARKER of Wibaux,
Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 do not pass, but that Substitute House Bill No. 46: A bill for an act entitled: "An act to appropriate money for the pension accumulation fund and the expense fund of the teachers' retirement system of the State of Montana for the period beginning July 1, 1941, and ending June 30, 1943; and providing that the appropriation for the pension accumulation fund shall not be deemed a determination of the normal or deficiency contributions by the state." Do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings and Grounds, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 119, respectfully report as follows: That House Bill No. 119 be amended by changing the word "irrigation" in Line 11, Page 1, to the word "drainage", and by changing the word "irrigation" in Line 1, Page 3, to the word "drainage", and that the word "shall" in Line 10, Page 2, be amended to "may", and that as so amended the same do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings and Grounds, having had under consideration House Bill No. 219, respectfully report as follows: That House Bill No. 219 do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings and Grounds, having had under consideration House Bill No. 199,

respectfully report as follows: That House Bill No. 199 be printed and placed on General Orders.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 127, respectfully report as follows: That House Bill No. 127 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 be amended by inserting in Line 10 after the word "any" and before the word "person" the word "minor", and by inserting in Line 14 after the word "may" and before the word "direct" the following words "make an order directing and ordering such adult to pay a fixed sum of money in accordance with his or her ability to do so, for the maintenance or care of such minor person", and further amending said bill by inserting after the word "where" in Line 14 and before the word "money" the words "payment of such"; and that as amended, House Bill No. 111 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 be amended as follows: In Section 1. in line 13 delete the words "thirty-two" and insert in lieu thereof the words "twenty-seven", and as amended do pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 183, respectfully report as follows: That House Bill No. 183, be amended as follows: By striking out in line 23, page 11 in Section 7 the words: "Osteopaths, Chiropractors" and inserting in lieu thereof in line 26 after the word "Montana" as follows: "Nothing in this act shall be construed to restrain or restrict any legally licensed osteopathic or chiropractic practitioner practicing under the laws of this state." By striking out in Section 7, in line 26 the word "nor" and inserting in lieu thereof the words "This Act Shall Not Apply." In Section 13 on page 16, line 6 by adding after the word "medicine" the word "or" and after the word "surgical" the word "treatment." And as so amended do pass.

PARKER of Wibaux,
Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 204, respectfully report as follows: That House Bill No. 204 do not pass.

CANNON, Chairman.

It was moved by Cannon, duly seconded, that the report of the Committee on Fish and Game be adopted.

On substitute motion, it was moved by Kemmis, duly seconded and carried, that House Bill No. 204 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 be amended as follows: By deleting all of the new Section 4 as approved in committee and amendment which has been adopted and insert in lieu thereof a new Section 4 to read as follows:

"Section 4. The owner of any property liable to be assessed for water service as herein contemplated may at any time serve notice in writing on the water department that he wishes the water turned off and service to his property discontinued. Immediately upon receipt of such notice the water department shall turn off the water and the property shall not be liable for water service from the date of the said turn-off to or until the property owner shall notify the water department in writing that he wishes the water turned on again and service to his property re-established. Also, when water rental on a certain piece of rented property is delinquent over one payment period the city clerk or the clerk of the water department shall immediately notify the property owner of such delinquency in writing."

And re-number Section 4 as Section 5; Section 5 as Section 6; Section 6 as Section 7; Section 7 as Section 8; and Section 8 as Section 9. And recommend that House Bill 116 so amended do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 132, respectfully report as follows: That House Bill No. 132 do not pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 be referred to the Committee on Affairs of Cities.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 be re-referred to the Judiciary Committee.

MURRAY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 22, respectfully report as follows: That Senate Bill No. 22 be concurred in.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker: We, your Majority Committee on Labor, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 do not pass.

HAMMOND,
McDANIEL,
CARLSON,
HORRIGAN,
ARONSON,
POTTER,
HARRISON,
CUMMINGS,
LOUGHRAN.

Mr. Speaker: We, your Minority Committee on Labor, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 do pass.

MURRAY,
BEAZLEY,
CLIFFORD,
PARKER of Cascade.

It was moved by Hammond, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by Murray, duly seconded, that the report of the minority be adopted.

A call of the House was demanded by the required number. After the clerk called the roll, on motion, duly seconded and carried, call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number, and the motion was lost by the following vote:

Ayes: Beazley, Beck, Bjerneby, Byrne, Cannon, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Fewkes, Friedl, Gebhardt, Holding, Hess, Hunter, James, Kemmis, Laubach, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nash, Nelson, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rice, Saylor, Spiegel, Tonn, Tyler, Vanek, Zuck, Mr. Speaker. Total 41.

Noes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Blenkner, Burke, Busch, Carlson, Cummings, Dillavou, Esp, Flook, Forbregd, Freshman, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Horrigan, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Morrow, Newell, O'Brien, O'Connor, Oliver, Parker of Flathead, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Stevens, Toole, Toomey, White, Williams, Wilson, Winters. Total 57.

Absent and not voting: Ahern, Gunderson, Watson, Welcome. Total 4.

Whereupon motion by Hammond to adopt the majority report was carried.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

Herewith I am returning House Bill No. 53, entitled: "An act to amend Section 9246 of the Revised Codes of Montana, 1935, with relation to the duty of the Court to require security upon granting injunctions or restraining orders", without my approval and with my objections thereto.

With the exception of one word this bill is a re-enactment of Section 9246, Revised Codes of Montana of 1935, and upon the attempted change in the law as it stands is my disapproval centered. This section now provides that "on granting an injunction or restraining order, the court or judge **may** require . . . a written undertaking", etc., whereas, the present measure, House Bill No. 53, provides that the court **must** require such an undertaking by the party seeking injunction or restraining order.

Looking into the history of the existing statute, I find that it had its original enactment at Bannack, in Montana's earliest days, and that it has been repeatedly re-enacted up to the present day.

In all these years, I venture to assert, there have been very few instances of abuse on the part of the courts, nor have I heard in all my practice any serious complaints on the part of litigants because of alleged abuse of the discretionary power conferred in Section 9246.

In the light of these facts it does not seem necessary at this late date to convert the discretionary power into a mandate which the court must follow regardless of any of the circumstances surrounding a particular case. Discretion should be left to the court or judge to determine whether an undertaking is required.

Feeling that the time-tried statute is sufficiently protective, I am constrained to withhold my approval, and House Bill No. 53 is therefore returned to your honorable body.

SAM C. FORD,
Governor.

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Joint Resolution No. 3, designating the third week in May as Citizenship Week in the State of Montana.

SAM C. FORD,
Governor.

Speaker Stromnes:

Our members of the special Joint Committee to visit Northern Montana College and the State Agricultural College are getting anxious about the possible results of their recommendations at this late date.

Would it be possible to get a motion through the House asking for unanimous consent to receive that committee's recommendations with a possible introduction of a bill covering the same later than the time allowed for introduction.

The delay is due to the lateness of getting the Governor's message and action on same and because of the problem of visiting and studying the two institutions at this time.

Respectfully,

ERNEST T. EATON,
President of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in the Senate amendments:

House Joint Memorial No. 4, by Scott.

House Bill No. 76, by James.

Respectfully,

McALLISTER,
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House.

House Bill No. 20, by Ahern.

House Bill No. 103, by Committee on Education.

Respectfully,

McALLISTER,
Secretary of the Senate.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following bills were this day read three several times and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 47, by Hazelbaker.

Senate Bill No. 55, by Gilbert, et al.

Senate Bill No. 57, by Bateman.

Respectfully,

McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 20 and 103.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 103 introduced by me and find the same to be correct.

COMMITTEE ON EDUCATION.

I have examined House Bill No. 20 introduced by me and find the same to be correct.

AHERN.

MOTIONS AND RESOLUTIONS

It was moved by Parker of Flathead, duly seconded, that the House reconsider its action in accepting the report of the Committee of the Whole on February 6th, 1941.

A call of the House was demanded by the required number. After the clerk called the roll, on motion, duly seconded and carried, further Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number, and motion by Parker lost by the following vote:

Ayes: Allen, Anson, Armstrong, Aronson, Blenkner, Busch, Carlson, Castles, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Gebhardt, Green, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, Kemmis, LaBonte, Laubach, Lowe, McDaniel, McKenna, McMichael, Martin of Madison, Miller, Morrow, Newell, O'Connor, Oliver, Parker of Flathead, Potter, Reed, Roehl, Scofield, Simpson, Toomey, White, Williams, Wilson, Winters, Zuck. Total 48.

Noes: Ahern, Anderson, Antrim, Ballard, Banka, Beazley, Beck, Bjerneby, Burke, Byrne, Cannon, Clifford, Cole, Cummings, Curran, Dahlquist, Dougherty, Freshman, Friedl, Goodwin, Gunderson, Harken, Holding, Hess, James, Kirscher, Lehrkind, Lippard, Loughran, Lynch, McGreevey, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Rice, Saylor, Scott, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, Mr. Speaker. Total 52.

Absent and not voting: Watson, Welcome. Total 2.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Horrigan, Lippard, Armstrong, Byrne, O'Connor: A bill for an act entitled: "An act to provide for a license tax upon airline operators."

By O'Connor, O'Brien, Curran, Cummings, Gebhardt, Horrigan, Beazley, and Phelan: A bill for an act entitled: "An act to amend Chapter 84 of the acts of the Twenty-fifth Legislative Assembly (1937) and to repeal Sections 1 and 2 of Chapter 221 of the acts of the Twenty-sixth Legislative Assembly (1939) relating to the licensing of liquor to be sold at retail; limiting such licenses; providing for the licensing of liquor to be sold at retail in the original package only and to be consumed off the premises; providing the qualifications of licensees and their premises; providing penalties for violations thereof and repealing all acts and parts of acts in conflict herewith."

By O'Connor, O'Brien, Curran, Cummings, Gebhardt, Horrigan, Beazley, and Phelan: A bill for an act entitled: "An act to amend Sections 2815.67, 2815.69, 2815.70, 2815.71 and 2815.72 of the Revised Codes of Montana (1935) and acts amendatory thereof relating to the distribution, sale and delivery of liquors at wholesale within the State of Montana; to authorize the maintenance and operation by the Montana Liquor Control Board of wholesale establishments and branches thereof and limiting the number of branch wholesale establishments; authorizing fair trade practices; providing for the local enforcement of the provisions of liquor laws of the State and providing penalties for the violation thereof; to repeal Section 2815.68 of the Revised Codes of Montana; to provide the time of the taking effect of this act and to repeal all acts and parts of acts in conflict herewith."

By O'Connor, Beazley, Phelan, Curran, Horrigan, Gebhardt, Cummings, and O'Brien: A bill for an act entitled: "An act to be known as the "Alcoholic Beverage Fair Trade Act", amending Section 2815.22 of the

Revised Codes of Montana, 1935, relating to the licensing of brewers and the collection of tax on beer; providing excise stamps for beer imported into the State; requiring the registration of brands of malt beverage products; providing the conditions for the sale and delivery of malt beverages; regulating the trade practices in the manufacture, distribution and sale of malt beverages; prescribing the powers of the board to make rules and regulations and authorizing expenditures in the administration of the act; prescribing penalties and repealing all acts and parts of acts in conflict herewith."

By Phelan, Friedl, Harken, Cole, Holding, Beazley, McGreevey, Clifford, Murray, and Saylor: A bill for an act entitled: "An act to amend Sections 12102 and 12103 Revised Codes of Montana, 1935, relating to punishment of death, how inflicted, providing for the use of lethal gas."

By the Committee on Water Conservation and Flood Control: A bill for an act entitled: "An act to provide for the organization of water conservancy districts and to define the purposes and powers thereof."

By Burke: A bill for an act entitled: "An act to amend Section 1747.12 of the Revised Codes of Montana of 1935, as amended by Section 12 of Chapter 129 of the Session Laws of 1937, relating to the elimination of reckless and irresponsible drivers from highways and relating to financial responsibility of motor vehicle owners and operators and making uniform the laws in relation thereto."

By the Committee on Agriculture: A bill for an act entitled: "An act to amend Sections 9, 10, 11, 13, and 16 of Chapter 195 of the Session Laws of Montana, 1939, relating to the appointment of weed control and weed seed exterminators; relating to inspection of premises believed to contain weeds, relating to destruction of weeds and the payment of expenses incurred so doing; relating to the creation of a noxious weed fund, and relating to the authority of the commission to fix the amount to be paid from the noxious weed fund."

By McDaniel: A bill for an act entitled: "An act to provide for an apportionment of membership and representation of the several counties of Montana, in the House of Representatives of the Legislative Assembly of Montana and to fix the number of members thereof."

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 as amended, be amended by striking out on page three (3) in lines nine (9) and ten (10) after word "exceed" the words and figures "Forty thousand dollars (\$40,000.00)" and inserting in lieu therefor the words and figures "fifty thousand dollars (\$50,000.00) and that the bill thus amended do pass.

KIRSCHER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the joint committee for the House and Senate, appointed to investigate building conditions at Northern Montana College and the State Agriculture College, be permitted to introduce bills relative to the matter of their investigation after the thirty-fifth legislative day.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Helding in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 148 be amended as follows:

Amend Section 2, line 8 by striking the words and figures "forty-five (45)" and inserting in lieu thereof the word and figures "fifty (50)" and as amended that the same do pass;

That House Bill No. 155 do pass;

That House Bill No. 166 do pass;

That consideration of House Bill No. 128 be passed for the day.

That House Bill No. 169 be amended as follows:

Amend Section 1 in line 10 by striking out the period after the word "same" and inserting in lieu thereof a comma and adding the following "unless proper repairs have first been made" and also amend in line 11 of the printed bill by inserting after the word "consent" the following "before proper repairs have been made," and that the same do pass as amended.

That House Bill No. 187 do pass.

That House Joint Memorial No. 3 do pass.

That Senate amendments to House Joint Memorial No. 4 be concurred in.

That Senate amendments to House Bill No. 76 be not concurred in and that a conference committee be appointed in the House and a like committee requested from the Senate.

That Senate Bill No. 22 be concurred in.

HELDING, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 175, 146, 194, and 104 beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

The Speaker appointed the following conference committee to act with a like committee from the Senate, on Senate amendments to House Bill No. 76: Gunderson, James, and Morrow.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Mernin: A bill for an act entitled: "An act to amend Section 2016 of the Revised Codes of Montana of 1935, relating to the listing of personal property belonging to a merchant or manufacturer."

By Ballard: A bill for an act entitled: "An act to amend Section 3700 of the Revised Codes of Montana of 1935, relating to penalty for violating closed season on certain game birds and power of the commission to open season on certain game birds."

By Murray and Clifford: A bill for an act entitled: "An act to amend Section 5 of Chapter 91, laws of Montana, 1937, relating to license fees for

the operation and maintenance of moving picture theaters and exemptions thereon."

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

Senate Bill No. 47: Introduced by Hazelbaker: A bill for an act entitled: "An act to amend Section 615 of the Revised Codes of Montana, 1935, fixing the time when certificates of other than party candidates may be filed." Referred to Committee on Privileges and Elections.

Senate Bill No. 55: Introduced by Gilbert, Dahl, and Simmons: A bill for an act entitled: "An act to amend Section 9990 of the Revised Codes of Montana, 1935, relative to the duties of public administrator." Referred to the Committee on Judiciary.

Senate Bill No. 57: Introduced by Bateman: A bill for an act entitled: "An act to amend Sections 5166 and 5167 of the Revised Codes of Montana of 1936, relating to the authority of cities and towns to establish swimming pools, skating rinks, playgrounds, and museums, and the power of the municipal council with respect to the same." Referred to the Committee on Affairs of Cities.

House Bill No. 222: Introduced by Toomey and Ahern: A bill for an act entitled: "An act to amend Section 6707 of the Revised Codes of Montana of 1935, relating to limitation of the term of leases of agricultural lands." Referred to the Committee on Judiciary.

House Bill No. 223: Introduced by Toole: A bill for an act entitled: "An act to amend Section 6430.2 of the Revised Codes of Montana of 1935, relating to exemptions of truck or automobile from execution." Referred to the Committee on Highways and Highway Transportation.

House Bill No. 224: Introduced by Laubach: A bill for an act entitled: "An act to amend Section 1459 of the Revised Codes of Montana, 1935, relating to the supervision and control of the Montana school for the deaf and blind by making it the duty of teachers of school districts to provide special classes for those persons between the ages of six and eighteen who are not totally blind or deaf, but who have defective vision or are partially deaf, and to provide and employ a teacher or teachers and provide for the qualifications of such teacher or teachers and for the employment and supervision thereof." Referred to the Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 225: Introduced by Toomey and Ahern: A bill for an act entitled: "An act to amend Chapter twenty-eight of the Code of Civil Procedure of the Revised Codes of Montana of 1935 by adding thereto a section to be numbered Section 9046.1, relating to limitations of actions for the recovery of dividends declared by Montana corporations." Referred to the Committee on Judiciary.

House Bill No. 226: Introduced by Toomey and Ahern: A bill for an act entitled: "An act to amend Sections 10205 and 10206 of the Revised Codes of Montana of 1935, and repealing Sections 10207, 10208, and 10209 of the Revised Codes of Montana, 1935, relating to the sale of mining property in estates of deceased persons." Referred to the Committee on Judiciary.

House Bill No. 227: Introduced by Nash: A bill for an act entitled: "An act providing a method of procedure for determining eligibility to fire department relief associations." Referred to the Committee on State Boards and Offices.

House Bill No. 228: Introduced by Aronson: A bill for an act entitled: "An act to amend Sections 5668.35, 5668.36, 5668.37, 5668.38 and 5668.39

Revised Codes of Montana, 1935, relating to the establishment, constructions, equipment, maintenance, management and operation of airports and landing fields by counties, cities, and towns: Authorizing joint action of such bodies and their right to exercise eminent domain therefor, the levy of taxes for the purposes enumerated and the borrowing of money and issuance of bonds therefor, but only after submission to a vote of the taxpayers; and validating levies and expenditures heretofor made, separately or jointly." Referred to the Committee on Aviation.

House Bill No. 229: Introduced by Morrow, Burke, and Lehrkind: A bill for an act entitled: "An act to create the eighteenth judicial district of the State of Montana to be composed of the county of Gallatin and to provide and designate the powers, duties, term and compensation of the judge of said eighteenth judicial district and to provide that the sixth judicial district of the State of Montana shall hereafter embrace the territory within the counties of Park and of Sweet Grass." Referred to the Committee on Judiciary.

House Bill No. 230: Introduced by Antrim, Cummings, Hazelbaker, and Harrison: A bill for an act entitled: "A bill for an act to amend Sections 3745, 3746, and 3747 of the Revised Codes of Montana of 1935 relating to the licensing of guides." Referred to the Committee on Fish and Game.

House Bill No. 231: Introduced by Ahern, Forbregd, and Rasmussen: A bill for an act entitled: "An act authorizing and permitting county commissioners to lease county property for oil and gas development by permitting a lessee to drill wells and pay to the county for such lease a royalty of not less than twelve and one-half per cent (12½%) of the oil and gas produced and saved from all lands so leased." Referred to the Committee on Petroleum, Oil and Gas.

House Bill No. 232: Introduced by Busch: A bill for an act entitled: "An act to provide for the conservation of underground water; providing for the casing and capping of artesian and deep water wells; providing for the regulation of artesian and deep water wells and prohibiting the waste of water therefrom; providing a penalty for the violation of the provisions of this act and prescribing the duties of the state engineer in relation thereto." Referred to the Committee on Conservation of Resources.

House Bill No. 233: Introduced by Mernin: A bill for an act entitled: "An act relating to the power of any city or town to establish by ordinance a standard of time within the corporate limits of the city or town earlier than the last Sunday in March in each year and not later than the last Sunday of October of the same year, commonly called day light saving time." Referred to the Committee on Affairs of Cities.

House Bill No. 234: Introduced by Clifford, Murray and McGreevey: A bill for an act entitled: "An act regulating sanitation and health, providing for a plumbers examining board, fixing its term of office and prescribing its duties and qualifications providing for the examination of master and journeyman plumbers, prescribing a license and setting fees therefore, and providing for the disposition of such fees, authorizing cities to make rules and regulations not inconsistent with this act, prescribing powers and duties of the State Board of Health, authorizing employment of assistants, defining terms used in this act, and repealing Sections 5183 to 5193, inclusive, of the Revised Codes of Montana of 1935, and all acts and parts of acts in conflict herewith." Referred to the Committee on Labor.

House Bill No. 235: Introduced by the Committee on Public Safety: A bill for an act entitled: "An act to amend Sections 2677, 2678, 2679, 2681, 2682, 2683, 2685, 2688, 2690, 2691, 2692, 2701, 2702, of the Revised Codes of Montana of 1935, and Sections 2711.1 and 2711.4 of said codes as amended by Chapter 174, laws of Montana of 1937, relating to electrical construction and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Public Safety.

House Bill No. 236: Introduced by Cannon: A bill for an act entitled: "An act to define and regulate the business of making loans in the amount of \$300.00 or less; to permit the licensing of persons engaged in such business; to authorize such licensees to make charges at a greater rate than unlicensed lenders; to prescribe maximum rates of charge which licensees are permitted to make; to regulate assignments of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of \$300.00 or less; to provide for the administration of the act and for the issuance of rules and regulations therefor; to authorize the making of examinations and investigations and the publication of reports thereof; to provide for a review of decisions and findings of the superintendent of banks under this act; and to prescribe penalties; and to repeal all acts and parts of acts in conflict herewith." Referred to the Committee on Judiciary.

House Bill No. 237: Introduced by Harrison by request: A bill for an act entitled: "An act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national-defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the federal government, in the development and administration of such projects of the federal government, to acquire or lease such projects and to sell certain projects to the federal government; to authorize public bodies to assist such projects of housing authorities and of the federal government; and to make obligations issued for such projects of housing authorities legal investments." Referred to the Committee on Federal Relations.

House Bill No. 238: Introduced by the Committee on Education: A bill for an act entitled: "An act providing "transportation" services for all public school pupils residing three or more miles from an open public school; defining "transportation" for the purpose of this act so as to include services furnished in lieu of "transportation"; providing that school boards may operate buses and contract for "transportation" of pupils; providing that school boards may close schools and transport pupils to another school and providing that school boards shall pay for its pupils attending school in another district, defining the duties of teachers and county superintendents in such cases; providing that no school money shall be expended for "transportation" except to persons or firms holding legal contracts for the same; providing for the letting of such contracts and filing of the same; providing requirements as to buses, drivers, and the operation of buses, fixing the amount of liability insurance to be carried by school districts, fixing a schedule for individual "transportation" and setting forth limitations and exceptions; providing that any child attending other than a public school may ride on a school bus; designating who is eligible to receive "transportation" from school districts; providing for the measurement of "transportation", distances in dispute and the settlement of "transportation" matters in controversy; providing for state reimbursement for "transportation" and limiting the amount thereof; providing a budget and levy for "transportation"; and repealing Section 1010 of the Revised Codes of Montana, 1935." Referred to the Committee on Education.

House Bill No. 239: Introduced by the Committee on Education: A bill for an act entitled: "An act amending Chapter one hundred eleven (111) of the Revised Codes of Montana, 1935, by repealing Sections 1187 to 1197 inclusive, and Section 1200, abolishing the state textbook commission, all relating to the state textbook commission, and by adding thereto certain sections providing for the adoption of textbooks by school superintendents, principals, and boards of education in all districts employing an administrative head and by the county superintendent of schools for all other districts within the county, upon recommendation of a committee of three (3) persons appointed by the county superintendent, who are actually engaged in public school work." Referred to the Committee on Education.

House Bill No. 240: Introduced by Lippard, Cummings, Stevens, and Toole: A bill for an act entitled: "An act providing for the licensing, regulating and control of slot machines, punch boards and similar devices, providing for an operator's license, a machine license, and a premise license, and granting to the state board of equalization authority to issue such licenses and granting certain powers for the enforcement of this act; fixing the amount to be paid for licenses and that all fees collected under the provisions of this act by the State shall be deposited in the old age pension fund, excepting not more than ten per cent (10%) of such fees to be used by the board for the administration of this act; defining the terms used herein; providing for the labeling of slot machines, punch boards or similar devices to indicate the basis upon which such slot machines, punch boards or similar devices are operated; permitting cities, towns and counties to levy a license tax in addition to the state license herein provided for, and providing that all money collected by a county for such licenses shall be deposited in the county poor fund; and providing penalties for the violation of this act." Referred to the Committee on Revenue and Taxation.

House Joint Memorial No. 8: Introduced by Carlson and O'Connor: A memorial entitled: "A memorial to congress requesting the enactment of a bill introduced by the Honorable Burton K. Wheeler in the United States Senate seeking the establishment of the United States Assay Office at Helena." Referred to the Committee on Federal Relations.

It was moved by Byrne, duly seconded and carried, that consideration of business on Third Reading be passed until the next Legislative Day.

Upon motion of Byrne, duly seconded, unanimous consent was given by the House for the use of the House Chambers for the purpose of conducting a public hearing on House Bill No. 149 immediately after adjournment.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Saturday, February 8th, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-FOURTH DAY

House of Representatives,
Helena, Montana,
February 8, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Lowe, Watson, Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-third day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Dahlquist: A bill for an act entitled: "An act to amend Sections 3, 6, 8, 12, 14, 15 and 18 of Chapter 208 of the Session Laws of 1939, relating to the grass conservation act."

By Martin of Fergus, Reed, Saylor, Harken, Vanek, Cole, Spiegel, Clifford, McGreevey, Phelan, Zuck: A memorial entitled: "A memorial to the Congress of the United States of America urging the elimination of certain deferments now authorized by the present conscription law."

By Parker of Flathead, LaBonte, Bjorneby: A bill for an act entitled: "An act consenting to the acquisition by the United States of land, water, or land and water, within Flathead County, Montana, for a migratory bird reservation as authorized by act of Congress of February 18, 1929, and providing for the establishment of such area as a state refuge in the discretion of the State Fish and Game Commission."

By Stevens: A memorial entitled: "A memorial to the President of the United States and the Representatives of Montana in the Congress of the United States expressing support of the president's national defense plans and the adoption by all honorable means to expedite the passage of the lend lease bill."

By Martin of Fergus, Flook, Roehl, Vanek, Phelan, Saylor: A bill for an act entitled: "An act relating to the breeding, raising, production and marketing of domestic fur-bearing animals and the products thereof."

By Morrow, Beazley, Horrigan, Busch, Armstrong: A bill for an act entitled: "An act to appropriate money for the State Bureau of Mines and Geology for the period beginning July 1, 1941, and ending June 30, 1943, in order to more adequately provide for discovery and development of new mineral resources."

By Antrim by request: A bill for an act entitled: "An act declaring it to be the policy of the state to aid and encourage the acquisition of homes; declaring this to be a public purpose; creating a home settlement commission and prescribing its powers and duties."

By Spiegel: A bill for an act entitled: "An act to preserve the coal resources of the State of Montana from too rapid exhaustion without corresponding benefit to the State of Montana and to classify methods of mining coal and to distinguish underground mining of coal from strip or open pit mining of coal; and an act to amend Sections 2316, 2318, 2319, 2321 of the Revised Codes of Montana as amended by Chapter 200 of the Session Laws of Montana, 1939, requiring every person, firm, association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged or working or operating any mine or mining property in the State of Montana, from which coal is mined, produced or extracted, to pay to the state treasurer for engaging in and carrying on such business by any method, certain license taxes for the exclusive use and benefit of the State of Montana, and prescribing a method for the collection thereof."

By Busch: A memorial entitled: "A memorial to the Congress of the United States requesting enactment of such legislation as may be necessary to provide for payments to counties to reimburse them for loss of tax receipts resulting from the use of certain lands by the United States of America."

By Allen: A bill for an act entitled: "An act to regulate the caravaning of motor vehicles upon the public highways of the State of Montana; defining the term "caravaning" providing for the licensing of motor vehicles in caravans and fixing the fee therefor; providing for the disposition of such fees; defining the duties of the registrar of motor vehicles hereunder imposing penalties for violation of this act."

By Holding by request: A bill for an act entitled: "An act prohibiting any band or orchestra organized by or maintained by any public school, college, university, department, division or institution supported in whole or in part by state, county or municipal taxes from furnishing music or rendering services as musicians of such bands or orchestras other than as

a part of or in connection with any function in which school, college, university, department, division or institution officially participates and providing exemptions therefrom."

By James, Newell, Zuck, Beck, Oliver, LaBonte, Scott, Laubach, Hageman, Goodwin, Parker, McKenna, Tyler: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 16 of Article XII of the Constitution of the State of Montana, relating to the assessment of railroad property and apportionment by the State Board of Equalization to counties, cities, towns, townships and school districts."

By Lynch: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section 3 of Article VI of the Constitution of the State of Montana, relating to representative and senatorial districts, and providing for the repeal of Sections Four (4), Five (5), and Six (6) of Article VI of the Constitution of the State of Montana."

By Armstrong: A bill for an act entitled: "An act defining "agent" or "insurance agent"; "solicitor" or "insurance solicitor"; providing for the appointment, regulation and license fee for said solicitors; and repealing all acts and parts of acts in conflict herewith."

By McKenna, Eggenberger: A bill for an act entitled: "An act creating a new section of the Revised Codes of Montana, to be designated Section 3564.1, defining the powers and duties of the division of farming and dairying of the Department of Agriculture, Labor and Industry."

By Ahern, Hess, Rasmussen, James, Reed, Parker of Cascade, Horrigan: A bill for an act entitled: "An act to authorize the State of Montana to become indebted in the sum of three hundred fifty thousand dollars in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction and equipment of necessary buildings at the Northern Montana College, at Havre, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof, prescribing the form of such bonds and providing for the levy of an annual tax sufficient to pay the principal thereof and the interest accruing thereon, and providing for a referendum of this act."

By Martin of Madison: A bill for an act entitled: "An act to amend Section 1759, Revised Codes of Montana, 1935, as amended by Chapter 72 of the Session Laws of the State of Montana for 1937, relating to the application for registration of motor vehicles, and payment of license fees and taxes thereon, to provide for the remission of registration fees by a county treasurer to the county treasurer of an applicant's permanent residence."

By Murray, Clifford, McGreevey: A bill for an act entitled: "An act amending Section 6112 Revised Codes of Montana, 1935, relating to license fees for insurance companies."

By Lynch and Fewkes: A bill for an act entitled: "An act to provide for the nonpartisan nomination and election of all elective county and municipal offices; abolishing certain existing methods in such cases and the use of party or political designations at elections to such offices; imposing certain duties upon county and municipal offices having charge of election affairs and judges and clerks of election, and adapting the provisions of the laws as they now exist to the nonpartisan election of county and municipal officers."

By Ballard: A bill for an act entitled: "An act to amend Section 3682 of the Revised Codes of Montana of 1935, relating to license required for

hunting or trapping game birds, game animals, or fur-bearing animals or fishing for any game fish."

By Anderson and Scott: A bill for an act entitled: "An act to authorize school districts of any class to change, alter or re-define the boundaries of any school district contiguous or adjacent to any Indian reservation, or the boundaries of any district embracing any area of an Indian reservation, to exclude any area or part of such reservation; providing school facilities and services are not denied to Indians or other persons residing within such reservations, or parts thereof, and for proceedings conformable to Section 1024, Revised Codes of Montana, 1935."

By McKenna: A bill for an act entitled: "An act to amend Section 6707 of the Revised Codes of Montana, 1935, by providing that leases, leases with option to purchase, agreements and tenancies executed or created under the United States Department of Agriculture whether or not the leases, leases with option to purchase, agreements and tenancies, affect property owned, leased or controlled by the United States, corporations, partnerships or individuals, shall not be affected by the restrictions against agricultural leases for a period longer than ten years."

By Fewkes, Winters, Antrim: A bill for an act entitled: "An act to amend Sections 1 and 9 of Chapter 128 of the Session Laws of Montana of 1939 relating to the appointment of the Montana State Board of Forestry, and relating to assessments against owners of forest land for its protection, and to amend Chapter 128 of the Session Laws of Montana of 1939 by adding a new section thereto relating to the right of an owner of forest lands to a hearing before the Montana State Board of Forestry."

By Toomey: A house joint resolution entitled: "House joint resolution proposing an amendment to the Constitution of the United States relative to taxes on incomes, inheritances and gifts, limiting the maximum rate of taxation of such sources for federal purposes and providing for exceptions in time of war and grave national emergencies."

By Nash: A bill for an act entitled: "An act providing for the creation of a commission to make an analytical study of public school transportation and financial problems and of the state's contribution to the costs of public school elementary and secondary education and to make recommendations to the Twenty-eighth Legislative Assembly at its Session in 1943 concerning legislation relating thereto; providing for the appointment of members, the powers and duties of such commission and appropriating money therefor."

By Toomey: A bill for an act entitled: "An act to amend Sections 631, 632, 633, 634, 639, 640, 641, 644, 645 and 646, Revised Codes of Montana, 1935, as amended and supplemented, relating to the direct primary, for the purpose of eliminating recognized weaknesses therein by fixing the date of primary elections at the first Tuesday in September, abolishing the system of admitting any candidate to a place on the primary ballot upon payment of filing fees and requiring all candidates for nomination by direct primaries to submit their candidacies to state and county party assemblies, and to be certified by such party assemblies for the primary ballot; to provide for the membership of such assemblies and election of delegates thereto by precinct electors, and the powers of such assemblies and prohibiting proxies under any circumstances; to limit such assemblies to sit for not more than two days, the first for organization and hearing petitions for and from candidates, and in their behalf and nomination of candidates and the second for balloting thereon; limiting the number of ballots; providing for the number of candidates to be certified by the assemblies for each place or office on the primary ballot, and refusing certification to any candidate who fails to receive twenty (20%) per centum of the assembly vote, prohibiting trading, directly or indirectly, in candidacies and votes under penalties herein prescribed, and for related purposes."

By Toomey: A bill for an act entitled: "An act authorizing district judges, as well as clerks of district courts to authorize, order and direct publication of summons, notices and all other forms of process, notices and orders, and designate the newspapers for such publications in all cases where publication is required or permitted."

By Ways and Means Committee: A bill for an act entitled: "An act to provide for the support of the government for the years 1941 and 1942."

By Committee on Agriculture: A bill for an act entitled: "An act to amend Sections 9, 10, 11, 13, 15, and 16 of Chapter 195 of the Session Laws of Montana, 1939, relating to the appointment of weed control and weed seed exterminators; relating to inspection of premises believed to contain weeds, relating to destruction of weeds and the payment of expenses incurred so doing; relating to the creation of a noxious weed fund, and relating to the authority of the commission to fix the amount to be paid from the noxious weed fund, and providing that the cost of exterminating noxious weeds along the right of way of the state or federal highway shall be paid from the state highway fund."

By Holding, Parker of Cascade, Martin of Fergus, James, Ahern, Fewkes, Kemmis, Murray: A bill for an act entitled: "An act providing a gross income tax in relation thereto providing for the levy of certain taxes on gross incomes, providing for the administration and collection of such tax, and providing for appeals and penalties and repealing all acts and parts of acts in conflict herewith."

By Murray: A bill for an act entitled: "An act to provide that all materials, goods, supplies, accessories, or furnishings of any nature, character of description purchased by the State of Montana for use in any of its institutions, boards, commissions, offices, or other agency and that all contracts for the erection, construction, maintenance or repair of any state owned or controlled property shall be the product of union labor and bear the union label of an organization affiliated with or recognized by the American Federation of Labor or the Committee for Industrial Organization, and to provide that the bid of any resident, person, association, or corporation of the State of Montana shall be accepted as the lowest bid provided such bid be not more than ten per cent (10) higher than the lowest bid of a nonresident of Montana, and providing that this act shall not affect Sections 260 and 261, Revised Codes of Montana, 1935, and providing a penalty for the violation of this act."

By McKenna, Hess, Beck, Busch, Martin of Fergus: A bill for an act entitled: "An act providing for the recall of elective county and/or city officers, the grounds for such recall, the percentage and number of signers necessary to petition such recall, the formation and filing of charges, the ballot synopsis of charges, the form and size of the petition, the checking thereof, the canvassing of the petition, the holding of an election and the conduct thereof, publishing results thereof, declaring vacancy of office and jurisdiction of courts to compel performance of this act; relating to illegal signatures and false signing, corrupt practice and professional recallers, and repealing all acts and parts of acts in conflict herewith."

By Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to amend Section 3324 of the Revised Codes of Montana of 1935, as amended by Section 1 of Chapter 133 of the Session Laws of 1937, as amended by Chapter 85 of the Session Laws of 1939, relating to inspection of livestock on removal from county to county."

By Phelan: A bill for an act entitled: "An act to amend Chapter 20 of the Session Laws of 1937, relating to the payment of delinquent personal property taxes, and defining the procedure of the county treasurer where personal property is seized for the payment of such taxes, and providing a time when such personal tax can be paid without penalty or interest."

By Kirscher and Scott: A bill for an act entitled: "An act providing for the preservation, maintenance, repair and reconstruction of the public highways of this state in order to secure greater safety to the lives and persons of the public generally, requiring all persons operating motor trucks, tractors, semi-trailers, trailers, and combinations thereof, and buses, upon the public highways of this state, with certain exceptions to apply for and obtain state highway commission permits and to pay to the county treasurer permit fees in addition to other fees and taxes now assessed and collected; providing for the issuance of permits and metal plates evidencing such issuance; to be carried on the vehicles operating under such permits; providing for the administration and enforcement of this act by the state highway commission and the state highway commission and the state highway patrol; authorizing the enforcement officers and agencies to inspect such vehicles and authorizing such officers to seize and hold vehicles in order to require the payment of such fees; providing for penalties for the violation of this act; and providing for exemptions from the provisions of this act."

By Toomey: A bill for an act entitled: "An act to amend Sections 5397 and 5398 of the Revised Codes of Montana of 1935, relating to the abandonment of the commission form of government and the requirements of the petitions provided for by providing that the petition of not less than eight per cent (8%) of the electors of the city may cause a special election to be called and by providing that the same question may not be submitted again within a period of one year and by omitting from the requirements of the petition the age of the petitioner."

By Morrow, Toomey, Hunter, Harrison, McDaniel, Anson: A resolution entitled: "A resolution memorializing the Congress of the United States to exempt the income from gold mining from the excess profits tax of 1940."

By Committee on Education: A bill for an act entitled: "An act to amend Section 2433.1 and to repeal Section 2433.7 of the Revised Codes of Montana of 1935 relating to public contractor's license so as to permit bidding on public works without a license."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 10:25 A. M. House Bills Nos. 20 and 103.

COLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 153, 155, 166, 169.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 62, 195, 221, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 112, respectfully report that House Bill 112 be amended as follows:

By inserting in the next to the last line of the title thereof, after the

words "said memorial building", the following words: "and providing that if any section or part of this act be void or ineffective it shall not be deemed to affect any other section or part hereof"; by striking out in Section 7 of said bill in line 3 thereof, after the words "all moneys now", the words "or hereafter received for", and inserting in lieu thereof the word "in"; by striking out in line 5 of Section 7 of said bill, after the words "are hereby", the word "perpetually." By inserting a new paragraph, Section 14 as follows: "Section 14. Each section of this act and every part of each section is hereby declared to be independent of each other, and the holding of any section or part hereof to be void or ineffective for any cause shall not be deemed to affect any other section or part hereof."; and renumbering the present Section 14, as Section 15. And that as amended, said House Bill 112 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do not pass but that Substitute House Bill No. 1 introduced by Cummings: A bill for an act entitled: "An act relating to the licensing of persons operating motor vehicles upon highways and to make reasonably uniform the laws relating thereto for the purpose of securing a greater safety to the lives and persons of the public generally of the State of Montana, providing for the administration of this act by the Montana Highway Patrol, and defining its powers and duties in the administration hereof, and providing penalties for the violation of the provisions hereof; providing for the suspension and revocation of licenses; establishing a comprehensive system of regulation through licensing, effective from and after January 1, 1942; and repealing Section 1741.11, as amended by Chapter 182, Laws 1937, and Sections 1761, 1762 and 1763, Revised Codes of Montana, 1935, and all acts and parts of acts in conflict herewith." Do pass.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 be re-referred to the Committee on Appropriations.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 do not pass.

TOOLE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, appointed the following Conference Committee to act with a like Committee from the House for the consideration of Senate amendments to H. B. No. 76, in accordance with the request of the House: Ross, Toman and Martin.

I am directed by the Senate to inform your Honorable Body that the following bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence: S. B. No. 49, by Dahl and Morrison; S. B. No. 51, by Committee on Counties and Towns.

I am directed by the Senate to inform your Honorable Body that H. B. No. 47, by Hunter, was this day read third time and concurred in as amended, and the same is herewith returned to the House for concurrence in the Senate amendments.

I am directed by the Senate to inform your Honorable Body that H. B. No. 11, by Hageman, was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Lynch, duly seconded and carried, that House Bill No. 28 be taken from General Orders and referred to the Committee on Public Health and Sanitary Affairs.

It was moved by Nash, duly seconded and carried, that House Bill No. 227 be taken from the Committee on State Boards and Offices and referred to the Committee on Affairs of Cities.

It was moved by Lippard, duly seconded, that the House reconsider its action taken yesterday on House Bill No. 214. Motion was lost.

It was moved by Gunderson, duly seconded and carried, that House Bill No. 168 be taken from General Orders and referred to the Committee on Agriculture.

It was moved by Lippard, duly seconded and carried, that the House extend a cordial invitation to his Excellency, the Governor, and the Hon. President and members of the Senate for a Lincoln Memorial Day Program in joint assembly on February 12th, 1941, at 2:00 o'clock P. M. in the House Chambers.

It was moved by Green, duly seconded and carried, that House Bill No. 102 be taken from General Orders and referred to the Committee on Appropriations for further consideration.

It was moved by Stevens, duly seconded, that the House reconsider its action in adopting the report of the Committee on Appropriations on H. B. 208. Motion was lost.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

Senate Bill No. 49: Introduced by Dahl and Morrison: A bill for an act entitled: "An act amending Sections 4311 and 4328 of the Revised

Codes of Montana of 1935, defining the boundaries of Cascade and Lewis and Clark Counties." Referred to Committee on New Counties and Divisions.

Senate Bill No. 51: Introduced by Committee on Counties and Towns: A bill for an act entitled: "An act to amend Section 5070 of the Revised Codes of Montana, 1935, as amended by Chapter 18, Session Laws, 1939, relating to the awarding of contracts by cities and towns so as to provide for advertising of bids for contracts and fixing the period for such advertisement." Referred to Committee on Affairs of Cities.

House Bill No. 241: Introduced by Stevens: A bill for an act entitled: "An act to permit actions at law against the State Highway Commission for injury to property or persons or death due to the negligent construction or maintenance of arterial highways, to provide for the payments of judgments in such cases and to absolve counties and county commissioners from liability in such cases." Referred to Committee on Judiciary.

House Bill No. 242: Introduced by Friedl, by request: A bill for an act entitled: "An act providing for the enforcement of the unfair practices act." Referred to Committee on Judiciary.

House Bill No. 243: Introduced by Committee on Horticulture: "A bill for an act entitled: "An act to amend the following Sections of the Revised Codes of Montana, 1935, namely: Section 4265.1 as amended by Chapter 89 of the Session Laws of 1939, relating to grades of apples: Section 4265.3, relating to grade of bulk apples; Section 4265.4, relating to standard size of apple container, and repealing Section 4265.5." Referred to Committee on Horticulture.

House Bill No. 244: Introduced by Murray and Horrigan: A bill for an act entitled: "An act to amend Sections 3 and 19 of Chapter 137 of the Session Laws of 1937, as amended by Chapter 137 of the Session Laws of 1939, relating to 'unemployment compensation law', entitled an act providing for unemployment compensation; creating a state unemployment compensation commission; establishing an unemployment compensation fund and providing for the administration, distribution and investments thereof; providing for the assessment and collection of contributions upon payroll of employers; creating a state employment service and providing an appropriation therefor; providing penalties for violations." Referred to Committee on Social Security.

House Bill No. 245: Introduced by Stevens and Cummings: A bill for an act entitled: An act to license the game of beano; providing for the regulation of beano games by county fair boards or the board of directors of district fairs and the state board of equalization; defining the game beano; providing for licenses to be issued and the proceeds to go to the county poor fund; providing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fairs and Expositions.

House Bill No. 246: Introduced by Murray and Clifford: A bill for an act entitled: "An act to amend Section 3432 of the Revised Codes of the State of Montana, 1935, relating to ventilation of quartz mines by modifying the provisions thereof and to create Subsection 2 of Section 3432, extending the same to all hazardous occupations except domestic service or agricultural labor." Referred to Committee on Mines and Mining.

House Bill No. 247: Introduced by McGreevey: A bill for an act entitled: "An act to amend Section 632 of the Revised Codes of Montana, 1935, relating to the date of holding primary elections and the purpose thereof by providing that primary elections shall be held on the first Tuesday in September following the second Monday." Referred to Committee on Privileges and Elections.

House Bill No. 248: Introduced by LaBonte: A bill for an act entitled: "An act to amend Section 3694.1 of the Revised Codes of Montana of 1935, relating to the penalty for violation of certain laws relating to fish and game, but providing a minimum penalty for the illegal possession of game or fur bearing animals." Referred to Committee on Fish and Game.

House Bill No. 249: Introduced by Burke: A bill for an act entitled: "An act to amend Section 1747.12 of the Revised Codes of Montana of 1935, as amended by Section 12 of Chapter 129 of the session laws of 1937, relating to the elimination of reckless and irresponsible drivers from highways and relating to financial responsibility of motor vehicle owners and operators and making uniform the laws in relation thereto." Referred to Committee on Highways and Highway Transportation.

House Bill No. 250: Introduced by Clifford and Murray: A bill for an act entitled: "An act authorizing the Montana State Fish and Game Commission to negotiate and agree with the Flathead Indians and the Flathead nation to adopt any and all rights or claims granted them by the United States of America under the treaty with the Flathead Indians of 1855." Referred to Committee on Fish and Game.

House Bill No. 251: Introduced by Mernin: A bill for an act entitled: "An act to make it unlawful for any manufacturer, wholesaler, jobber or others to ship any merchandise, wares, goods or machinery into the State of Montana unless the same has been ordered by the consignee." Referred to Committee on Judiciary.

House Bill No. 252: Introduced by Committee on Military Affairs: A bill for an act entitled: "An act to provide for a state guard, its authority and name, organization, rules and regulations, pay and allowances, use of property, use within and without state, qualifications and exemptions of personnel, and providing for permission to forces of other states to enter the State of Montana under certain circumstances." Referred to Committee on Military Affairs.

House Bill No. 253: Introduced by Toole: A bill for an act entitled: "An act to amend Section 4875 of the Revised Codes of Montana, 1935, to provide for the number of deputies to be allowed the county clerk, clerk of the district court, and sheriff in each county, and to provide for the selection in judicial districts having more than one district court judge of a person by the judges of the district court to be appointed by the sheriff as a deputy and whose duty it will be to act as an attendant upon the district court and perform the duties of bailiff of said court in addition to his other duties as deputy under the sheriff, and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Townships and Counties.

House Bill No. 254: Introduced by Murray and Clifford: A bill for an act entitled: "An act to preserve the scenic beauty of the State of Montana by requiring all placer mining operators to level all debris, refuse, and tailings caused by their placer mining operations within the distance of one mile from any state or county highways or limits of any city or town; providing the penalty for such failure; declaring such failure a public nuisance; providing for the abatement of such nuisance; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Mines and Mining.

House Bill No. 255: Introduced by Mernin: A bill for an act entitled: "An act to amend Section 2016 of the Revised Codes of Montana of 1935, relating to the listing of personal property belonging to a merchant or manufacturer." Referred to Committee on Judiciary.

House Bill No. 256: Introduced by Mernin: A bill for an act entitled: "An act to amend the housing authorities law by amending Section 5309.2 of Chapter 404 of the Revised Codes of Montana of 1935, providing for a finding and declaration of necessity for slum clearance and projects to provide housing accommodations for persons of low income in urban and

rural areas of the State by amending Section 5309.10 of said Chapter, providing for the cooperation of housing authorities; by repealing Section 5309.25 of said Chapter, which provides that bonds of housing authorities are legal investments; by incorporating a new Section in said Chapter, to be known as Section 5309.25, granting additional powers to housing authorities in relation to contracts; and by incorporating new Sections in said Chapter, to be known as Sections 5309.27A, 5309.27B, 5309.27C, 5309.27D, 5309.27E and 5309.27F, providing for the creation of housing authorities for counties and defining their powers, authorizing such authorities to undertake housing projects for farmers of low income, and providing that housing projects shall not be operated for profit." Referred to Committee on Federal Relations.

House Bill No. 257: Introduced by Parker of Cascade: A bill for an act entitled: "An act to declare valid and legal the creation and establishment of housing authorities in the State of Montana under the provisions of the housing authorities law, and all contracts, bonds, notes, agreements, obligations and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto." Referred to Committee on Federal Relations.

House Bill No. 258: Introduced by Parker of Cascade: A bill for an act entitled: "An act to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States government, shall be security for all public deposits and negotiable and legal investments for the State and public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, saving banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries." Referred to Committee on Federal Relations.

House Bill No. 259: Introduced by Toole, Lippard, Clifford, Cummings, Toomey, O'Connor, Anson: A bill for an act entitled: "An act to regulate, license and authorize games of chance, gambling games and gambling devices; providing for the operation thereof under license by persons qualified under this act; providing for license fees and the allocation of the revenue derived from licenses and fines; prohibiting minors and persons under the influence of intoxicating liquor from playing and loitering about such games; prescribing the hours during which games may be played and the place, manner and conditions for the operation thereof; providing for the revocation of licenses; providing penalties for the violation of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 260: Introduced by Oliver, Esp, Scofield: A bill for an act entitled: "An act to amend Section 3417.4 of the Revised Statutes of Montana, 1935, relating to bounty on predatory animals, providing for a bounty on coyotes, during the entire year, providing for the disposition of the hides of coyotes during certain months of the year, defining the duty of the sheriffs in relation to the provisions of this act; providing for appropriations to carry this act into effect and fixing a date when this act shall become inoperative and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 261: Introduced by O'Connor, O'Brien, Curran, Beazley, Gebhardt, Phelan, Horrigan, Cummings: A bill for an act entitled: "An act to be known as the "Alcoholic Beverage Fair Trade Act", amending Section 2815.22 of Chapter 254 of the Revised Codes of Montana, 1935, relating to the licensing of brewers and the collection of tax on beer; providing excise stamps for beer imported into the State; requiring the registration of brands of malt beverage products; providing the conditions for

the sale and delivery of malt beverages; regulating the trade practice in the manufacture, distribution and sale of malt beverages; setting forth the powers of the Montana Liquor Control Board to make rules and regulations and to administer this act and authorizing expenditures in its administration; prescribing penalties for violations of this act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 262: Introduced by O'Connor, O'Brien, Curran, Beazley, Gebhardt, Phelan, Horrigan, Cummings: A bill for an act entitled: "An act relating to the licensed sale of liquor at retail; to amend Section 4 and Section 5, of Chapter 84 of the session laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, and as amended by Chapter 221 of the session laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, limiting retail liquor licenses; providing for the licensing of liquor to be sold at retail in the original package only and to be consumed off the premises; providing the conditions, terms and limitations under which licenses may be issued therefor; setting forth the qualifications of licensees and their premises; providing penalties for violations of this act; repealing Section 1 and Section 2 of Chapter 221 of the session laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, and all other acts and parts of acts in conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 263: Introduced by O'Connor, O'Brien, Curran, Beazley, Gebhardt, Phelan, Horrigan, Cummings: A bill for an act entitled: "An act to amend Section 2815.67 and repealing Section 2815.69 of the Revised Codes of Montana, 1935, and as amended by Section 4, Chapter 30 of the laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, and repealing Sections 2815.71 and 2815.72 of the Revised Codes of Montana, 1935, and substituting in lieu thereof to be designated Sections 2815.69, 2815.70, 2815.71 and 2815.72, and repealing Sections 2815.68, 2815.73, 2815.74, 2815.75, 2815.76, 2815.77, 2815.78, 2815.79, 2815.80, 2815.81, 2815.82, 2815.83, 2815.84, 2815.85, 2815.86, 2815.87, 2815.109, 2815.110, 2815.111, 2815.113, 2815.114, 2815.116, 2815.118, 2815.119, 2815.120, 2815.121, 2815.122, 2815.123, and 2815.124 of Chapter 255 of the Revised Codes of Montana, 1935, relating to the distribution, sale and delivery of liquors at wholesale within the State of Montana; to authorize the maintenance and operation by the Montana Liquor Control Board of wholesale establishments and branches thereof and limiting the number of branch wholesale establishments; authorizing fair trade practices; providing for the local enforcement of the provisions of liquor laws of the State and providing penalties for the violation thereof; to provide the time of the taking effect of this act and to repeal all acts and parts of acts in conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 264: Introduced by Stevens: A bill for an act entitled: "An act providing for the free admission of students attending schools or colleges in the State of Montana to all athletic events and dances sponsored or supervised by said schools or colleges or in which school students or college students are participating." Referred to Committee on Education.

House Bill No. 265: Introduced by Stevens: A bill for an act entitled: "An act relating to gambling devices; providing for the operation thereof under license; providing for certain license fees and the use of the money obtained therefrom; prohibiting minors from playing such devices; and designating the penalties for violations of the provisions." Referred to Committee on Revenue and Taxation.

House Bill No. 266: Introduced by Murray and Clifford: A bill for an act entitled: "An act amending Section 6112 Revised Codes of Montana, 1935, relating to license fees for insurance companies." Referred to Committee on Insurance.

House Bill No. 267: Introduced by Committee on Water Conservation and Flood Control: A bill for an act entitled: "An act to provide for the

organization of water conservancy districts and to define the purposes and powers thereof." Referred to Committee on Water Conservation and Flood Control.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:45 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The following members were excused for the afternoon session: Aronson and Kirscher.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By McGreevey and Murray: A bill for an act entitled: "An act authorizing any person, persons, copartnership or a domestic corporation residing within the state to organize and maintain a rating bureau for the purpose of inspecting and surveying various municipalities and fire hazards in this state and to furnish to municipalities, owners of property, fire insurance companies, agents and solicitors, information and advice."

By Harrison by request: A bill for an act entitled: "An act to provide for the annual collection and publication of basic statistics relating to irrigation in Montana; to designate the Commissioner of Agriculture as the collector; to provide for cooperation with the U. S. Agricultural Marketing Service and to appropriate money for the cost thereof."

By Beazley: A bill for an act entitled: "An act amending Section 2815.71, Revised Codes of Montana, 1935, relating to provisions concerning sale of liquor by vendors by providing greater economy of operation and increased protection to the State of Montana."

MOTIONS AND RESOLUTIONS

It was moved by Lippard, duly seconded and carried, that the Majority and Minority Floor Leaders be given authority to adjust the bills on general orders so that measures upon which there would be debate of interest to the public would head the list, for the evening session.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

House Bill No. 268: Introduced by Toole by request: A bill for an act entitled: "An act to repeal Chapter 129, Session Laws of 1937, and to require every person registering a motor vehicle in the State of Montana to furnish proof of financial responsibility with respect to liability for bodily injuries or death arising from the ownership, maintenance or use of such motor vehicles on the highways of the state by the registrant or by any other person with his express or implied consent; providing the nature of public liability policy or surety bond or deposit which may be issued as such proof; providing for revocation of registration upon cancellation of such policy or bond; providing for the regulation of risk classification and the establishment of premium charges by the commissioner of insurance; providing for a review of his orders, findings and decisions in the courts; providing for the procedure on complaints relative to cancellation of insurance policies or refusal of companies to issue policies; providing penalties and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 269: Introduced by Murray and Clifford: A bill for an act entitled: "An act to amend Section 5 of Chapter 91, Laws of Montana, 1937, relating to license fees for the operation and maintenance of moving picture theaters and exemptions thereon." Referred to Committee on Revenue and Taxation.

House Bill No. 270: Introduced by Flook, Phelan, Vanek, Martin of Fergus, Beazley, Kemmis, Eggenberger, Harken, Winters: A bill for an act entitled: "An act requiring public utilities to file an annual statement of the value of all property for rate making purposes and prescribing the method of assessing such properties for taxation." Referred to Committee on Revenue and Taxation.

House Bill No. 271: Introduced by Phelan by request: A bill for an act entitled: "An act to appropriate money for the payment of salaries and maintenance operation and other purposes of the state bureau of criminal identification and investigation for the period beginning July 1, 1941 and ending June 30, 1943." Referred to Committee on Appropriations.

House Bill No. 272: Introduced by Ballard: A bill for an act entitled: "An act to amend Section 3700 of the Revised Codes of Montana of 1935, relating to penalty for violating closed season on certain game birds and power of the commission to open season on certain game birds." Referred to Committee on Fish and Game.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Joint Memorial No. 7 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Castles, Clifford, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Flook, Forbergd, Freshman, Friedl, Gebhardt, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Reed, Roehl, Saylor, Scott, Spiegel, Stevens, Toole, Toomey, Vanek, Williams, Wilson. Total 69.

Noes: Byrne, Esp, O'Connor, Scofield, Simpson. Total 5.

Absent and not voting: Aronson, Carlson, Cole, Cummings, Curran, Eggenberger, Goodwin, Green, Hazelbaker, Horrigan, Hunter, James, Kirscher, Lippard, Lowe, O'Brien, Parker of Flathead, Petersen, Rasmussen, Rice, Tonn, Tyler, Watson, Welcome, White, Winters, Zuck, Mr. Speaker. Total 28.

Senate Joint Memorial No. 9 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Blankner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbergd, Freshman, Gebhardt, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simp-

son, Spiegel, Stevens, Toole, Toomey, Vanek, Williams, Wilson, Winters, Zuck. Total 79.

Noes: None.

Absent and not voting: Aronson, Cole, Cummings, Curran, Eggenberger, Friedl, Goodwin, Green, Gunderson, Horrigan, Kirscher, Lippard, Lowe, McDaniel, Morrow, O'Brien, Parker of Flathead, Tonn, Tyler, Watson, Welcome, White, Mr. Speaker. Total 23.

House Bill No. 122 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, Hunter, James, LaBonte, Lehrkind, Loughran, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Morrow, Murray, Nash, Nelson, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Williams, Wilson, Winters, Zuck. Total 71.

Noes: Beck, Cole, Harrison, Kemmis, Lynch, McDaniel, Martin of Fergus, Miller, Newell, Petersen, Vanek. Total 11.

Absent and not voting: Aronson, Castles, Clifford, Curran, Eggenberger, Goodwin, Green, Horrigan, Kirscher, Laubach, Lippard, Lowe, Phelan, Roehl, Tyler, Watson, Welcome, White, O'Brien. Mr. Speaker. Total 20.

House Bill No. 120 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, LaBonte, Lehrkind, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, Williams, Wilson, Winters, Zuck. Total 83.

Noes: Holding. Total 1.

Absent and not voting: Aronson, Clifford, Eggenberger, Goodwin, Green, Horrigan, Kirscher, Laubach, Lippard, Lowe, Morrow, O'Brien, Rice, Tyler, Watson, Welcome, White, Mr. Speaker. Total 18.

A call of the House was demanded by the required number. After the clerk called the roll, on motion, duly seconded and carried. Call of the House was dispensed with.

Substitute House Bill No. 69 failed to pass by the following vote:

Ayes: Ahern, Allen, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Cannon, Castles, Clifford, Cummings, Dahlquist, Davey, Dougherty, Fewkes, Friedl, Gunderson, Harken, Holding, Hess, James, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nash, Nelson, Oliver, Parker of Cascade, Phelan, Rasmussen, Reed, Saylor, Scott, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, Zuck, Mr. Speaker. Total 45.

Noes: Anderson, Anson, Antrim, Armstrong, Ballard, Busch, Carlson, Cole, Curran, Dillavou, Esp, Flook, Forbregd, Freshman, Gebhardt, Good-

win, Green, Hageman, Hammond, Harrison, Hazelbaker, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Morrow, Newell, O'Connor, Parker of Wibaux, Parker of Flathead, Potter, Rice, Roehl, Scofield, Simpson, Toomey, Williams, Wilson, Winters. Total 46.

Absent and not voting: Eggenberger, Horrigan, Kirscher, Lippard, Lowe, O'Brien, Watson, Welcome, White. Total 9.

Paired: Aronson and Petersen. Total 2.

House Bill No. 89 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Loughran, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 81.

Noes: None.

Absent and not voting: Ahern, Aronson, Burke, Cannon, Carlson, Davey, Eggenberger, Harken, Horrigan, Kirscher, Lehrkind, Lippard, Lowe, McMichael, Morrow, O'Brien, Spiegel, Tyler, Watson, Welcome, White. Total 21.

House Joint Memorial No. 5 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Carlson, Castles, Clifford, Cole, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harrison, Hazelbaker, Holding, Hess, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, Williams, Wilson, Zuck, Hageman, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Aronson, Burke, Byrne, Cannon, Cummings, Davey, Eggenberger, Harken, Horrigan, James, Kirscher, Lippard, Lowe, Lynch, McDaniel, McMichael, Mernin, O'Brien, O'Connor, Parker of Cascade, Tyler, Watson, Welcome, White, Winters. Total 25.

Senate amendment to House Joint Memorial No. 4 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Dahlquist, Dillavou, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Kemmis, LaBonte, Laubach, Loughran, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl,

Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, Wilson, Winters, Zuck. Total 73.

Noes: Tonn, Mr. Speaker. Total 2.

Absent and not voting: Aronson, Banka, Burke, Curran, Davey, Dougherty, Eggenberger, Gebhardt, Goodwin, Harken, Horrigan, Hunter, James, Kirscher, Lehrkind, Lippard, Lowe, Lynch, McMichael, Morrow, O'Brien, O'Connor, Parker of Cascade, Watson, Welcome, White, Williams. Total 27.

Senate Bill No. 22 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Ballard, Banka, Beazley, Beck, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Dahlquist, Dillavou, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harrison, Hazelbaker, Holding, Hess, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, Wilson, Winters, Zuck. Total 75.

Noes: Mr. Speaker. Total 1.

Absent and not voting: Armstrong, Aronson, Bjerneby, Burke, Cannon, Curran, Davey, Dougherty, Eggenberger, Hageman, Harken, Horrigan, Hunter, James, Kirscher, Lippard, Lowe, Lynch, O'Brien, Parker of Cascade, Rice, Toole, Watson, Welcome, White, Williams. Total 26.

House Bill No. 153 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Dillavou, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 78.

Noes: Davey, McGreevey, Mernin, Murray. Total 4.

Absent and not voting: Aronson, Burke, Clifford, Dougherty, Eggenberger, Harken, Horrigan, James, Kirscher, Lippard, Lowe, Miller, Morrow, O'Brien, Parker of Cascade, Rice, Spiegel, Watson, Welcome, White. Total 20.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bill No. 11.

COLE, Chairman.

Report adopted.

The Speaker signed House Bill No. 11 in open session.

MOTIONS AND RESOLUTIONS

It was moved by Morrow, duly seconded, that the House reconsider its action on Substitute House Bill No. 69 on Third Reading. Motion lost.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Rice: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section 6 and Section 14 of Article V of the Constitution of the State of Montana relating to the time that legislative assemblies shall meet and the adjournment of the same."

By Aronson, Murray, Friedl, Potter, O'Connor, Anderson, Scott, Laubach, Lehrkind, Dahlquist, Banka, Carlson, Martin of Madison, Hazelbaker, Rice, Gunderson, Tonn, Hess, James, Beck, Nelson, Cole, Byrne, Morrow, Spiegel, Toomey, Williams, Toole, Green, Oliver: A bill for an act entitled: "An act appropriating money for repayment to Big Horn county of money paid by it to the State Insane Asylum by mistake and which was used for the direct benefit of all the people of Montana, and for which no reimbursement has been made to Big Horn County."

By Nash: A bill for an act entitled: "An act prohibiting the wilful opening or publishing contents of a sealed letter by another person, without authority, than the persons to whom it is addressed; and prescribing a penalty."

By Friedl, Dahlquist, Davey, Zuck, Forbregd, Beck, Kemmis, Tyler, Petersen: A bill for an act entitled: "An act authorizing the Montana Fish and Game Commission to enter into cooperative agreements with fish and wild life service of the Department of the Interior of the United States in the administration and operation of the Fort Peck game range and providing limitations thereof."

By Gunderson, Cummings, Stevens: A bill for an act entitled: "An act to provide for the compulsory installation and maintenance of reflectory caution, stop signs at all state highway and railroad intersections by the state highway commission; and the compulsory installation and maintenance of reflectory caution, stop signs at all intersections of county roads or highways with railroads by the board of county commissioners of each county in the State of Montana; and the compulsory installation and maintenance of reflectory caution, stop signs at all highway and railroad intersections in the State of Montana; and requiring all vehicles to come to a full stop at such signs; and providing for a penalty and the enforcement thereof."

By Blenkner by request: A bill for an act entitled: "An act to amend Section 3 of Chapter 137 Session Laws of Montana, 1939, relating to contributions under provision of Unemployment Compensation Act and the study of Unemployment Compensation Commission of merit rating."

By Lippard: A bill for an act entitled: "An act to provide for the appropriation and expenditures of certain moneys to and by the Montana Park Commission and limiting the period of expenditures beginning July 1, 1941, and terminating June 30, 1943; and providing for the retention within the state of certain archaeological specimens; and providing that research groups desiring to make exploration within the state shall first obtain a permit from the Park Commission so to do."

By Parker of Wibaux: A bill for an act entitled: "An act to amend Section 5932 of the Revised Codes of Montana of 1935, relating to recording and amendment of a corporation's by-laws."

By Parker of Cascade, James, Winters, Phelan: A bill for an act entitled: "An act providing for the stabilization of prices on dairy products, poultry products, fruits and vegetables; setting up standards of fair competition in such products; providing for the duties of the Commissioner of Agriculture, Labor and Industry under this act; and providing penalties for violation of the act."

By Beck, Nelson, Dahlquist, Banka, James: A bill for an act entitled: "An act amending Section 10400.1 of the Revised Codes of Montana of 1935, relating to tax on direct and collateral inheritances, requests and devises, and on transfers of property; and defining clear market value."

By LaBonte, Byrne, Dillavou, Loughran: A bill for an act entitled: "An act to amend Section 5011 of the Revised Codes of Montana of 1935, relating to the appointment of election judges and clerks and the fixing of voting places by the city council."

By LaBonte, Byrne, Dillavou, Loughran: A bill for an act entitled: "An act amending Section 590 of the Revised Codes of Montana of 1935, relating to the appointment of judges of election."

By O'Connor: A bill for an act entitled: "An act amending Section 5736.1 of the Session Laws of the Twenty-fifth Legislative Assembly, relating to incurable diseases; and repealing all acts and parts of acts in conflict therewith."

By Byrne: A bill for an act entitled: "An act relating to the floating indebtedness of county poor funds outstanding at the close of business on June 30, 1941; providing for levying special taxes to pay the same; and prohibiting the making of grants in aid to counties under the provisions of Part II of Chapter 82, Session Laws 1937, as amended, when such counties were on June 30, 1941, owing any amount or amounts to the State Department of Public Welfare on account of reimbursements, if such counties fail to take advantage of the provisions of this act."

By Committee on Judiciary: A bill for an act entitled: "An act relating to the nomination and election of justices of the supreme court and judges of the district courts and in relation thereto amending Sections 812.7 and 812.9 of the Revised Codes of Montana, 1935, and repealing all acts and parts of acts in conflict herewith."

By Committee on Judiciary: A bill for an act entitled: "An act to amend Chapter 168 of the code of civil procedure of the Revised Codes of Montana of 1935, entitled "general rules of examination" by adding thereto a section to be known as Section No. 10671.1 providing that a party to the record of any civil action or proceeding may call an adverse party or an officer, director, or managing agent of a public or private corporation or of a partnership or association which is an adverse party, and providing for the scope and effect of such examination."

By Committee on Judiciary: A bill for an act entitled: "An act amending Section 812.6 of the Revised Codes of Montana, 1935, relating to the placing of names of supreme court justices and district court judges on the primary ballots and amending Section 812.8 of the Revised Codes of Montana, 1935, relating to the counting and canvassing of votes for judicial offices and repealing all acts and parts of acts in conflict herewith."

By Toole: A bill for an act entitled: "An act to amend Section 7073, relating to the succession and distribution of the property of a decedent by providing that if a decedent leaves no issue, the whole of the estate up to the amount of three thousand (\$3,000.00) dollars shall go to the surviving husband or wife."

By Committee on Judiciary: A bill for an act entitled: "An act to amend Section 8277 of the Revised Codes of Montana, 1935, relating to the execution of mortgages of personal property and the affidavit of good faith attached thereto in certain cases."

By Oliver: A bill for an act entitled: "An act empowering the county commissioners of the several counties of the state to rebate the penalty and interest on delinquent taxes, when in their judgment they deem it to be for the best interest to the county to do so, notwithstanding the provisions of any existing laws."

By Murray, Clifford and McGreevey by request: A bill for an act entitled: "An act to amend Section 1760 of the Revised Codes of Montana of 1935, relating to registration fees, disposal of proceeds, fees for half year, dealers' registration and transfer thereof, and exemption of public owned vehicles from fees."

By Murray, Clifford, Mernin, McGreevey: A bill for an act entitled: "An act taxing mechanical loading machinery in coal mines."

By Hess, Beck, Martin of Fergus, Parker of Cascade, Gunderson, McKenna, Zuck: A bill for an act entitled: "An act to amend Sections 2295.2 and 2295.28 of the Revised Codes of the State of Montana of 1935, relating to the rate of income tax and changing said rate of income tax and the disposition of the revenue therefrom."

By Saylor, Parker of Wibaux, Beazley, Hageman, Scofield: A bill for an act entitled: "An act to repeal Chapter 208 of the Session Laws of 1939, relating to grass conservation and known as the grass conservation act."

By Morrow: A bill for an act entitled: "An act providing that it shall be unlawful for any person, firm, association, corporation or municipality, whether as owner, lessee, licensee or occupant of any land in this state, to make any charge whatsoever for the privilege of hunting or fishing on said land."

By Phelan: A bill for an act entitled: "An act regulating all benevolent societies, benevolent corporations, associations, operating on voluntary or involuntary assessment or contribution plan, which provide for protective and/or indemnity benefits."

By Murray and Clifford: A bill for an act entitled: "An act to amend Section 3779 of the Revised Codes of Montana of 1935, relating to the creation of the Board of Railroad Commissioners of the State of Montana and providing for three (3) ex-officio members."

By Lynch: A bill for an act entitled: "An act to amend Section 10 of Chapter 49 of the Session Laws of 1939, relating to an act providing for the regulation of the sale of food and foodstuffs, providing for a state board of food distributors and defining its powers and duties, setting forth the requirements for licensing of food stores, restaurants, and other places, definitions and penalties and repealing all acts and parts of acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 243 respectfully report as follows: That House Bill No. 243 do pass.

CUMMINGS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings and Grounds, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 be amended as follows: Amend the title of the bill in line four after the words "duty of" by striking out the word "teachers" and inserting in lieu thereof the word "trustees." And amend the bill, beginning in line 24 and through line 28, inclusive, after the word "person." by striking out the following: "No teacher shall be employed for such work unless he or she possesses the special qualification required and recognized for teachers in such work, and unless approved by the president of the Montana school for the deaf and blind. Such teacher shall be under the direct supervision of said president." and insert in lieu therefor the following—"The President of the State School for Deaf and Blind shall cooperate with local school officials with

advice and counsel. Such teachers, shall, however, be certified by the State of Montana in accordance with the law applicable thereto and must possess the special qualifications to meet the standard set by the State school for deaf and blind, and shall be under direct supervision of the local public school officials." And that the bill as amended do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 do not pass and that Substitute House Bill No. 87: A bill for an act entitled: "An act directing the State Board of Examiners to issue state insane hospital bonds of the State of Montana under the provisions of Chapter 168 of the Laws of the Twenty-sixth Legislative Assembly, which law was submitted to the vote of the electors of the state at the last general election and received a majority of the votes cast for and against it at said election, and which law provides that moneys derived from the sale of said bonds shall be used for the purpose of constructing, repairing and equipping necessary buildings, for other permanent improvements and for acquiring necessary grounds therefor, at the Montana State Hospital for the Insane at Warm Springs, Montana." Do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 do not pass, but that Substitute House Bill No. 168 entitled: "An act to fix the standard classes and grades of mustard seeds, defining same: prescribing the powers and duties of the Commissioner of Agriculture in connection with the administration and enforcement of the act; defining damaged seeds, dockage, foreign material, fixing a basis of determination of dockage, defining percentages of moisture and percentage of dockage; fixing test weight per bushel; defining certain special grades and providing for a schedule of fees, the disposition of funds and penalties for violation." Do pass.

PHELAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 149, respectfully report as follows: That House Bill No. 149 do not pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 117, respectfully report as follows: That House Bill No. 117 be amended as follows: After the word "shall" in line 4, page 6, and before the word "apply" in line 5, page 6, inserting the word "not". Strike out the word "only" in line 5, page 6, after the word "apply." Strike out the words "the first, second and third class" in line 5, page 6, and add after the word "of" in line 5, page 6, the words "less than twenty-five hundred (2,500) population." Strike out all of line 6, page 6, all of line 7, page 6, and all of line 8, page 6, and as amended do pass.

MURRAY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 do not pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 55, 188, 138, 127, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 187, House Joint Memorial No. 3.

SAYLOR, Chairman.

Report adopted.

NOTICES

By McDaniel by request: A bill for an act entitled: "An act defining dealers in finished furs and manufactured fur garments, requiring licenses for such dealers, and fixing the amount thereof and prescribing the conditions under which the same shall be issued; defining the powers and duties of the State Board of Equalization; designating the disposition of the funds, fixing a penalty for violations and designating the effective date of the act."

By Nelson: A bill for an act entitled: "An act to provide for the inspection and analysis of commercial feeding stuffs and by whom and to regulate the same thereof in the State of Montana; to define the term 'commercial feeding stuffs'; to provide for guarantees of the ingredients of commercial feeding stuffs and affixing labels to the packages thereof; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to regulate and license the sale of commercial feeding stuffs; to fix the penalties for the violation of the provisions of this act."

By Ahern: A bill for an act entitled: "An act to amend Section 562 of the Revised Codes of Montana of 1935, as amended by Chapter 147 of the Session Laws of 1937, providing for the cancellation of registry for failure to vote and re-registration; and providing the manner of re-registration thereafter, and requiring county clerks to cancel registration of voters who failed to vote at general election held November 5, 1940."

By Cummings: A bill for an act entitled: "An act to amend Section 2620.45 of Chapter 240, Revised Codes of Montana, 1935, relating to license fees for persons, firms or corporations selling, exchanging or offering for sale, or having in possession with intent to sell, oleomargarine, imitation or filled cheese, or any substitute for any dairy product made from milk or cream, and exceptions thereto; repealing all acts in conflict herewith; and declaring that this act shall be in full force and effect from and after its passage and approval."

By Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Cummings, Carlson: A bill for an act entitled: "An act to amend Section 3651, 3653, 3654, 3661 and 3670 of the Revised Codes of Montana, 1935, relating to the appointment, qualifications, powers and duties and compensation of the Montana Fish and Game Commission; relating to the qualifications and compensation and removal of deputy state fish and game wardens; and relating to the state fish and game fund."

By Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Cummings, Carlson: A bill for an act entitled: "An act to amend Sections 3683, 3684, 3694, and 3696 of the Revised Codes of Montana of 1935, and to amend Sections 3685 and 3685.3 of the Revised Codes of Montana of 1935, as amended by Chapter 174 of the Session Laws of Montana of 1939, relating to classes of and fees for fish and game licenses, and application for licenses; relating to restrictions on the manner of taking fish and game and powers of the commission relating thereto; and relating

to the open season on elk and penalties for the wilful waste of any portion of an elk."

By Castles: A bill for an act entitled: "An act to amend Section 1757 of the Revised Codes of Montana, 1935, relating to motor vehicles number plates and prescribing the specifications thereon and establishing that the numbers assigned the various counties shall be according to the 1940 census; and providing that the numbers assigned the counties shall start with one for the county with the largest population and be assigned to the different counties consecutively according to the population of said counties."

By Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Cummings, Carlson: A bill for an act entitled: "An act to amend Sections 3736 and 3777 of the Revised Codes of Montana, 1935, relating to fees for permits for the shipment of fish and game, and relating to permits for breeding and propagating game birds and animals, and fur bearing animals."

By Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Cummings, Carlson: A bill for an act entitled: "An act to amend Sections 3696.1, 3696.2, 3696.3, 3696.4, 3696.5 and 3696.6 of the Revised Codes of Montana, 1935, relating to open seasons for elk in certain parts of the State of Montana, prescribing rules and regulations in connection with such open seasons, and providing penalties for violation of those regulations."

By Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Cummings, Carlson: A bill for an act entitled: "An act to amend Sections 3697, 3699, 3701, and 3719 of the Revised Codes of Montana, 1935, relating to open season for deer and penalties for the wilful waste of deer meat, relating to the power of the commission to open season on Rocky Mountain sheep and goats and penalties for hunting Rocky Mountain sheep and goats during a closed season; relating to open and closed seasons for grouse and prescribing bag limits therefor; and relating to the killing of moose, bison, buffalo, caribou or antelope."

By Holding by request: A bill for an act entitled: "An act to amend Section 1 of Chapter 71 of the Session Laws of Montana, 1939; providing that band funds may be transferred by due process of law; repealing all acts and parts of acts in conflict therewith."

By Rice: A bill for an act entitled: "An act to amend Section 4193.1, 4193.3 and 4193.5 of the Revised Codes of Montana of 1935, relating to the regulation of the sale of standard petroleum products; providing penalties for violation of the act; defining the purposes of the act and making it the duty of the county attorney to prosecute reported violations or explain his failure so to do, by providing that it shall be unlawful to enter into any agreement, understanding or combination to fix the price of any standard petroleum product in any locality within the State of Montana for the purpose of permitting free competition in the sale of such products, and making it the duty of the county attorney to prosecute violations; and providing that nothing contained in this act shall be construed as repealing or amending Sections 4193.2, 4193.4, 4193.6 and 4193.7."

By Parker of Flathead, Allen: A bill for an act entitled: "An act to provide that the Montana Highway Patrol supervisor, in conjunction with the county commissioners of the several counties of the State, may designate portions of state and federal highways whereon it shall be unlawful to allow any livestock to run unless such livestock is accompanied by a herder; defining the word livestock; providing a penalty for the violation of this act and making it the duty of all peace officers, including Montana highway patrolmen to enforce the provisions hereof."

By Busch: A bill for an act entitled: "An act to amend Section 1 of Chapter 59 of the laws of 1939, defining terms used in the act relating to agreements between the county commissioners of any county in this State and the United States government for the benefit of projects by provid-

ing that the word project shall be amended to mean any resettlement project or rural rehabilitation project or any other lands purchased by or belonging to the United States and located within the State of Montana."

By Byrne: A bill for an act entitled: "An act to amend Section 3554.14 of the Revised Codes of Montana of 1935 and Section 1 of Chapter 123 of the session laws of the Twenty-fifth Legislative Assembly, to reduce the privilege and license tax levied and assessed on crude petroleum produced, saved, and marketed or stored within the State of Montana."

By Bjorneby: A bill for an act entitled: "An act to amend Section 9078 of Revised Codes of Montana, 1935, and to create Subsection 2 of Section 9078, relating to whom may be made party defendants."

By Wilson and Newell: A bill for an act entitled: "An act to submit to the vote of the people of Montana the question of legalizing under license the operation of punch boards, of slot machines, and of other forms of gambling."

By McDaniel: A bill for an act entitled: "An act to amend Section 2239 of the Revised Codes of Montana, 1935, as amended by Chapter 107 of the session laws of 1939, relating to the duty of county treasurers with respect to the collection of taxes on personal property not secured by a lien on real property."

By Bjorneby: A bill for an act entitled: "An act to amend Section 2000 of the Revised Codes of Montana of 1935, relating to the basis for the imposition of taxes upon different classes of property and providing for the percentage of the true and full value of certain classes of property which shall be taxed."

By Laubach, Fewkes, Esp, Lowe, Friedl, Cummings: A bill for an act entitled: "An act to amend Sections 3650 and 3651 of the Revised Codes of Montana, 1935, providing for the creation of a fish and game commission for the State of Montana; fixing the number of commissioners thereof; dividing the State into commissioner districts and defining the boundaries of such districts; providing for the appointment of commissioners; prescribing their qualifications; and repealing all acts and parts of acts in conflict herewith."

By Clifford, Murray and McGreevey: A bill for an act entitled: "An act to provide for the parole of certain patients at the state insane asylum at Warm Springs and providing for recommitment if a paroled patient is not returned within the time allowed."

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees; all appropriation measures having been read at length:

House Bill No. 273: Introduced by Toomey by request: A bill for an act entitled: "An act to amend Sections 5397 and 5398 of the Revised Codes of Montana of 1935, relating to the abandonment of the commission form of government and the requirements of the petitions provided for by providing that the petition of not less than eight per cent (8%) of the electors of the city may cause a special election to be called and by providing that the same question may not be submitted again within a period of one year and by omitting from the requirements of the petition the age of the petitioner." Referred to Committee on Judiciary.

House Bill No. 274: Introduced by Byrne: A bill for an act entitled: "An act to amend Section 2215.9 of the Revised Codes of Montana of 1935, relating to the effect of tax deeds issued under the laws of the State of Montana." Referred to Committee on Judiciary.

It was moved by Byrne, duly seconded and carried, that consideration of business under Third Reading and General Orders be passed until the evening session.

It was moved by Byrne, duly seconded and carried, that the House recess until 7:55 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Tyler was excused from the evening session because of illness.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduced the following:

By Hunter, McGreevey, Cummings: A bill for an act entitled: "An act to amend Sections 2454.1, 2454.2, 2454.3, 2454.4, 2454.5 and 2454.6 Revised Codes of Montana of 1935, relating to the inspection, regulation, sanitation and licensing of tourist lodges or guest ranches."

By Williams: A bill for an act entitled: "An act to amend Section 1617 of the Revised Codes of Montana, 1935, relating to the road tax levy and providing that a levy of six mills on the dollar of taxable property may be levied for road purposes."

By Dahlquist, Phelan, Nelson: A bill for an act entitled: "An act to provide for the weighing of livestock at concentration points, and for the supervision and regulation of the weighing, fill, dockage and grading of livestock at such places, by the department of agriculture of the State of Montana and providing penalties for the violation of this act."

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the follow Senate Bills were this day read three several times and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence: Senate Bill No. 21, by Nutt; Senate Bill No. 30, by Maddox; Senate Bill No. 39, by Committee on Elections and Privileges; Senate Bill No. 60, by Drumheller and Keeley; Senate Bill No. 61, by Plank; Senate Bill No. 65, by Gilbert; Senate Joint Memorial No. 10, by Campbell, et al.; Senate Joint Memorial No. 11, by Committee on Stockgrowing and Grazing; Senate Joint Resolution No. 1, by Committee on Judiciary.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House; House Bill No. 3, by Committee on Revenue and Taxation; House Bill No. 41, by Committee on Revenue and Taxation; House Bill No. 45, by Committee on Revenue and Taxation.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, and the same are herewith returned to the House: House Bill No. 29, by Dillavou, et al.; House Bill No. 54, by Anderson.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Toomey, duly seconded and carried, that the House reconder its action on Senate Bill No. 6.

It was moved by Toomey, duly seconded and carried, that the House request the Honorable Senate to return Senate Bill No. 6 for further consideration.

INTRODUCTION OF BILLS

The following was introduced, read first and second times and referred to Committee on Revenue and Taxation:

House Bill No. 275: Introduced by Spiegel: A bill for an act entitled: "An act to preserve the coal resources of the State of Montana from too rapid exhaustion without corresponding benefit to the State of Montana and to classify methods of mining coal and to distinguish underground mining of coal from strip or open pit mining of coal; and an act to amend Sections 2316, 2318, 2319, 2321, of the Revised Codes of Montana as amended by Chapter 200 of the session laws of Montana, 1939, requiring every person, firm, association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged or working or operating any mine or mining property in the State of Montana, from which coal is mined, produced or extracted, to pay to the state treasurer for engaging in and carrying on such business by any method, certain license taxes for the exclusive use and benefit of the State of Montana, and prescribing a method for the collection thereof."

THIRD READING

House Bill No. 155, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 88.

Noes: Mernin, White. Total 2.

Absent and not voting: Clifford, Eggenberger, Kirscher, Laubach, Lowe, McGreevey, Murray, O'Brien, Parker of Wibaux, Tyler, Watson, Welcome. Total 12.

It was moved by Byrne, duly seconded and carried, that further consideration of business under Third Reading be passed for this legislative day.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders and that all bills be read by history, title and section number only, and that each member be allowed five minutes.

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of Substitute House Bill No. 14 be passed for the day.

That House Bill No. 104 be amended as follows:

Amend by striking all of lines 18 and 19 of the printed bill and in line 20 by striking the figure "3" and in serting lieu thereof the figure "2"; and that the same do pass as amended;

That Senate Bill No. 26 be amended as follows:

Amend the title by striking out in line 3 thereof the word and figure "March 1," and inserting in lieu thereof the word and figure "May 31," and that the same be concurred in as amended.

That House Bill No. 128 do pass;

That House Bill No. 156 do pass;

O'CONNOR, Chairman.

It was moved by O'Connor, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Morrow, duly seconded, that House Bill No. 128 be segregated from the report of the Committee of the Whole.

A roll call, to be entered in the Journal, was requested by the required number and motion was lost by the following vote:

Ayes: Antrim, Blenkner, Byrne, Clifford, Friedl, Harken, Horrigan, Lippard, McGreevey, Mernin, Miller, Morrow, Murray, O'Connor, Phelen, Reed, Simpson, Spiegel, Toole, Williams, Mr. Speaker. Total 21.

Noes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, LaBonte, Laubach, Loughran, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Stevens, Tonn, Toomey, Vanek, White, Wilson, Winters, Zuck. Total 70.

Absent and not voting: Armstrong, Burke, Eggenberger, Hunter, Kirscher, Lehrkind, Lowe, O'Brien, Tyler, Watson, Welcome. Total 11.

Whereupon the report of the Committee of the Whole was adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Allen: A bill for an act entitled: "An act authorizing state and political subdivisions thereof or municipal corporations to complete projects now under construction; creating an emergency relief fund; providing for the levy of a tax; and authorizing issuance of anticipatory emergency relief fund warrants."

By Freshman: A bill for an act entitled: "An act to repeal Sections 3228.19, 3228.20, 3228.21, 3228.22, 3228.23, 3228.24, 3228.25, 3228.26, 3228.27, 3228.28, 3228.29 and 3228.30 and all of such Sections of the Revised Codes of Montana, 1935, as amended by Chapter 183 of the Laws of 1937, and as

amended by Chapter 150 of the Laws of 1939, relating to barbers and barber shops."

By McGreevey, Murray and Clifford: A bill for an act entitled: "An act to amend Sections 2343.1 and 2343.3 of the Revised Codes of Montana of 1935, as amended by Chapter 83 of the Laws of 1937, relating to electrical energy producer's license tax and the distribution of said tax."

By Murray, McGreevey and Clifford: A bill for an act entitled: "An act to amend Section 2620.16; Revised Codes of Montana, 1935, relating to the licensing of creameries, butter factories, cheese factories and ice cream factories; providing the fees that shall be paid for such licenses, and providing that such creameries, butter factories, cheese factories and ice cream factories shall furnish a surety bond to secure payment for all milk, cream or other dairy products purchased."

By Murray, Clifford, McGreevey: A bill for an act entitled: "An act to amend Section 11,171, Revised Codes of Montana, 1935, relating to officers neglecting duty in enforcing gambling laws and penalty therefor."

By Murray, Spiegel, Mernin: A bill for an act entitled: "An act taxing all corporations of the State of Montana engaged in the business of metal-liferous mining by levying a severance tax on all production of such mines; providing for the payment of the revenues received from such tax into a fund to be known as the "metal mines tax fund" for the purpose of equalizing exorbitant taxes levied on real property and homes in this state; providing for the payment of such tax by all mining corporations engaged in depleting natural resources of this state and providing revocation of the charter for authority to transact business in the State of Montana for failure to obey the provisions of this act and repealing Sections 2344.1 to 2344.15 Revised Codes of Montana, 1935.

By Phelan: A bill for an act entitled: "An act providing for the regulation and licensing of liquor and to authorize the sale at wholesale and retail of vinous liquors in Montana; providing for license fees and stamps tax for the sale thereof and repealing all acts and parts of acts in conflict herewith."

By Murray, McGreevey, Clifford: A bill for an act entitled: "An act equalizing taxation in the State of Montana by levying a gross income tax on the utility corporations of this state supplying the people with electricity and natural gas and preventing such corporations from passing this tax on to the consumers in the state."

By Mernin, Murray, Clifford, McGreevey: A bill for an act entitled: "An act to tax the corporations engaged in the business of storing and transporting natural gas by levying a severance tax in the amount of five cents (5c) per thousand cubic feet on all natural gas produced, transported or stored within the boundaries of this state of Montana."

By Murray, Spiegel, Mernin: A bill for an act entitled: "An act regulating the business of radio broadcasting; creating a board of broadcast examiners; levying a tax on chain broadcasting stations by assessing a progressive tax for each station owned by the same person, co-partnership or corporation; providing for the inspection and audit of the accounts of such station or chain of stations; providing for civil responsibility for libel in broadcasts; providing penalties for violation of this act; declaring an emergency to make this act immediately effective and repealing all acts and parts of acts in conflict therewith."

MOTIONS AND RESOLUTIONS

It was moved by Toole, duly seconded and carried, that the House reconsider its action on House Bill No. 162 in adopting an adverse committee report.

It was moved by Toole, duly seconded and carried, that House Bill No. 162 be re-referred to the Committee on Judiciary.

It was moved by Byrne, duly seconded and carried, that the House reconsider its action in passing consideration of business under Third Reading for the day.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 169 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Morrow, Nash, Nelson, Newell, O'Connor, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Vanek, White, Williams, Wilson, Winters, Zuck, Parker of Flathead, Mr. Speaker. Total 84.

Noes: Miller and Oliver, Toomey. Total 3.

Absent and not voting: Burke, Cannon, Eggenberger, Gunderson, Kirscher, Lippard, Lowe, Mernin, Murray, O'Brien, Potter, Spiegel, Tyler, Watson, Welcome. Total 15.

House Bill No. 166 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Cannon, Carlson, Clifford, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, LaBonte, Laubach, Lehrkind, Loughran, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Vanek, Wilson, Winters, Zuck, Mr. Speaker. Total 76.

Noes: Busch, Castles, Cole, Fewkes, Kemmis, McDaniel, Miller, Toomey, Williams. Total 9.

Absent and not voting: Ahern, Armstrong, Aronson, Banka, Byrne, Cummings, Eggenberger, Hageman, Kirscher, Lippard, Lowe, O'Brien, Potter, Tyler, Watson, Welcome, White. Total 17.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Parker of Flathead, Banka, Dahlquist, Hess, Toomey, Byrne: A bill for an act entitled: "An act limiting the liability of a driver of a motor vehicle for personal injury to or death of a "guest" and repealing all acts and parts of acts in conflict herewith."

It was moved by Byrne, duly seconded and carried, that the House adjourn until Sunday, February 9th, 1941, at 1:30 o'clock P. M.

E. J. STROMNES,
Speaker.

J. P. BENNAN, Chief Clerk.

THIRTY-FIFTH DAY

House of Representatives,
Helena, Montana,
February 9, 1941.

House convened, pursuant to adjournment, at 1:30 o'clock P. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following, who were excused: Lowe, Watson and Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-fourth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 148.

SAYLOR, Chairman.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

House Bill No. 276 introduced by Friedl, Dahlquist, Davey, Zuck, Forbregd, Tyler, Petersen, and Kemmis: A bill for an act entitled: "An act authorizing the Montana Fish and Game Commission to enter into co-operative agreements with fish and wild life service of the Department of the Interior of the United States in the administration and operation of the Fort Peck game range and providing limitations thereof." Referred to the Committee on Fish and Game.

House Bill No. 277 introduced by Freshman: A bill for an act entitled: "An act to repeal Sections 3228.19, 3228.20, 3228.21, 3228.22, 3228.23, 3228.24, 3228.25, 3228.26, 3228.27, 3228.28, 3228.29 and 3228.30 and all of such section of the Revised Codes of Montana, 1935, as amended by Chapter 183 of the Laws of 1937, and as amended by Chapter 150 of the Laws of 1939, relating to barbers and barber shops." Referred to the Committee on Judiciary.

House Bill No. 278 introduced by Holding by request: A bill for an act entitled: "An act to amend Section 1 of Chapter 71 of the Session Laws of Montana, 1939; providing that band funds may be transferred by due process of law; repealing all acts and parts of acts in conflict therewith." Referred to the Committee on Affairs of Cities.

House Bill No. 279 introduced by Williams: A bill for an act entitled: "An act to amend Section 1617 of the Revised Codes of Montana of 1935, relating to the road tax levy and providing that a levy of six mills

on the dollar of taxable property may be levied for road purposes." Referred to the Committee on Revenue and Taxation.

House Bill No. 280 introduced by Lynch: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section 3 of Article VI of the Constitution of the State of Montana, relating to representative and senatorial districts, and providing for the repeal of Section Four (4), Five (5), and Six (6) of Article VI of the Constitution of the State of Montana." Referred to the Committee on Constitutional Amendments.

House Bill No. 281 introduced by Blenkner by request: A bill for an act entitled: "An act to amend Section 3 of Chapter 137 Session Laws of Montana, 1939, relating to contributions under provision of unemployment compensation act and the study of Unemployment Compensation Commission of merit rating." Referred to Committee on Social Security.

House Bill No. 282 introduced by Kirscher and Scott: A bill for an act entitled: "An act providing for the preservation, maintenance, repair and reconstruction of the public highways of this state in order to secure greater safety to the lives and persons of the public generally; requiring all persons operating motor trucks, tractors, semi-trailers, trailers, and combinations thereof, and buses, upon the public highways of this state, with certain exceptions, to apply for and obtain State Highway Commission permits and to pay to the county treasurer permit fees in addition to other fees and taxes now assessed and collected; providing for the issuance of permits and metal plates evidencing such issuance, to be carried on the vehicles operating under such permits; providing for the administration and enforcement of this act by the State Highway Commission and the State Highway Patrol; authorizing enforcement officers and agencies to inspect such vehicles and authorizing such officers to seize and hold vehicles in order to require the payment of such fees; providing for penalties for the violation of this act; and providing for exemptions from the provisions of this act." Referred to the Committee on Petroleum, Oil, and Gas.

House Bill No. 283 introduced by Martin of Madison: A bill for an act entitled: "An act to amend Section 1759.5 Revised Codes of Montana, 1935, as amended by Chapter 154 Laws of the Twenty-fifth Legislative Assembly, 1937, relating to the use of license plates on motor vehicles, trailers and semi-trailers; defining certain regulations pertaining to license plates; relating to fictitious license plates; relating to the use of license plates other than those provided by law; by requiring license plates to be purchased and displayed on motor vehicles in the county of the permanent residence of the owner, excepting therefrom motor vehicles used in transportation of persons or property; repealing all acts in conflict herewith." Referred to the Committee on Highways and Highway Transportation.

House Bill No. 284 introduced by Phelan by request: A bill for an act entitled: "An act to amend Chapter 20 of the Session Laws of 1937, relating to the payment of delinquent personal property taxes, and defining the procedure of the county treasurer where personal property is seized for the payment of such taxes, and providing a time when such personal tax can be paid without penalty or interest." Referred to the Committee on Judiciary.

House Bill No. 285 introduced by Eggenberger and McKenna: A bill for an act entitled: "An act creating a new section of the Revised Codes of Montana, to be designated Section 3564.1, defining the powers and duties of the division of farming and dairying of the department of agriculture, labor and industry." Referred to the Committee on Judiciary.

House Bill No. 286 introduced by Murray and Clifford: A bill for an act entitled: "An act amending Sections 2816 and 2922 of the Revised Codes of Montana, 1935, and adding a new part to Chapter 256, Volume 2, of the political Code, Revised Codes of Montana, 1935, to be designated as

Part VI, containing Sections 3033.1 to 3033.4, inclusive, relating to compensation for the occupational disease of arsenic poisoning." Referred to the Committee on Workmen's Compensation.

House Bill No. 287 introduced by the Committee on Livestock and Public Ranges: A bill for an act entitled: "An act to amend Section 3324 of the Revised Codes of Montana of 1935, as amended by Section 10 of Chapter 133 of the Session Laws of 1937, as amended by Chapter 85 of the Session Laws of 1939, relating to inspection of livestock on removal from county to county." Referred to the Committee on Livestock and Public Ranges.

House Bill No. 288 introduced by Murray: A bill for an act entitled: "An act to provide that all materials, goods, supplies, accessories or furnishings of any nature, character or description purchased by the State of Montana for use in any of its institutions, boards, commissions, offices, or other agency and that all contracts for the erection, construction, maintenance or repair of any state owned or controlled property shall be the product of union labor and bear the union label of an organization affiliated with or recognized by the American Federation of Labor or the Committee for Industrial Organization, and to provide that the bid of any resident person, association, or corporation of the State of Montana shall be accepted as the lowest bid provided such bid be not more than ten per cent (10%) higher than the lowest bid of a non-resident of Montana, and providing that this act shall not affect Sections 260 and 261, Revised Codes of Montana, 1935, and providing a penalty for the violation of this act." Referred to the Committee on Labor.

House Bill No. 289 introduced by Anderson and Scott: A bill for an act entitled: "An act to authorize school districts of any class to change, alter or re-define the boundaries of any school district contiguous or adjacent to any Indian reservation, or the boundaries of any district embracing any area of an Indian reservation, to exclude any idea or part of such reservation; providing school facilities and services are not denied to Indians or other persons residing within such reservations, or parts thereof, and for proceedings conformable to Section 1024, Revised Codes of Montana, 1935." Referred to the Committee on Education.

House Bill No. 290 introduced by the Ways and Means Committee: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1941 and 1942." Referred to the Committee on Ways and Means.

House Bill No. 291 introduced by Armstrong: A bill for an act entitled: "An act defining "agent" or "insurance agent"; "solicitor" or "insurance solicitor"; providing for the appointment, regulation, and license fee for said solicitors; and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Insurance.

House Bill No. 292 introduced by Ahern and Hess: A bill for an act entitled: "An act to authorize the State of Montana to become indebted in the sum of three hundred fifty thousand dollars in excess of the Constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction and equipment of necessary buildings at the Northern Montana College, at Havre, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof, prescribing the form of such bonds and providing for the levy of an annual tax sufficient to pay the principal thereof and the interest accruing thereon, and providing for a referendum of this act." Referred to the Committee on Judiciary.

House Bill No. 293 introduced by Antrim by request: A bill for an act entitled: "A bill for an act declaring it to be the policy of the state to aid and encourage the acquisition of homes; declaring this to be a public pur-

pose; creating a Home Settlement Commission and prescribing its powers and duties." Referred to the Committee on Development and Publicity.

House Bill No. 294 introduced by Lynch and Fewkes: A bill for an act entitled: "An act to provide for the non-partisan nomination and election of all elective county and municipal offices; abolishing certain existing methods in such cases and the use of party political designations at elections to such offices; imposing certain duties upon county and municipal officers having charge of election affairs and judges and clerks of election, and adapting the provisions of the laws as they now exist to the non-partisan election of county and municipal officers." Referred to the Committee on Privileges and Elections.

House Bill No. 295 introduced by Busch: A bill for an act entitled: "An act to amend Section 1 of Chapter 59 of the Laws of 1939, defining terms used in the act relating to agreements between the county commissioners of any county in this state and the United States government for the benefit of projects by providing that the word project shall be amended to mean any resettlement project or rural rehabilitation project or any other lands purchased by or belonging to the United States and located within the State of Montana." Referred to the Committee on Federal Relations.

House Bill No. 296 introduced by Beazley, Saylor, Murray, Phelan, Holding, Clifford, McGreevey, Harken, Cole and Friedl. A bill for an act entitled: "An act to amend Sections 12102 and 12103 Revised Codes of Montana, 1935, relating to punishment of death, how inflicted, providing for the use of lethal gas." Referred to the Committee on Judiciary.

House Bill No. 297 introduced by Holding by request: A bill for an act entitled: "An act prohibiting any band or orchestra organized by or maintained by any public school, college, university, department, division or institution supported in whole or in part by state, county or municipal taxes from furnishing music or rendering services as musicians of such bands or orchestras other than as a part of or in connection with any function in which such school, college, university, department, division or institution officially participates and providing exemptions therefrom." Referred to the Committee on Education.

House Bill No. 298 introduced by Laubach, Fewkes, Esp, Lowe, Friedl, and Cummings: A bill for an act entitled: "An act to amend Sections 3650 and 3651 of the Revised Codes of Montana, 1935, providing for the creation of a Fish and Game Commission for the State of Montana; fixing the number of commissioners thereof; dividing the state into commissioner districts and defining the boundaries of such districts; providing for the appointment of commissioners; prescribing their qualifications; and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Fish and Game.

House Bill No. 299 introduced by Bjorneby: A bill for an act entitled: "An act to amend Section 2000 of the Revised Codes of Montana of 1935, relating to the basis for the imposition of taxes upon different classes of property and providing for the percentage of the true and full value of certain classes of property which shall be taxed." Referred to the Committee on Judiciary.

House Bill No. 300 introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Section 7073, relating to the succession and distribution of the property of a decedent by providing that if a decedent leaves no issue, the whole of the estate up to the amount of three thousand (\$3,000.00) dollars shall go to the surviving husband or wife." Referred to the Committee on Judiciary.

House Bill No. 301 introduced by Holding, Parker of Cascade, Martin of Fergus, James, Ahern, Fewkes and Kemmis: A bill for an act entitled:

"An act providing a gross income tax and in relation thereto providing for the levy of certain taxes on gross incomes, providing for the administration and collection of such tax, and providing for appeals and penalties and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Revenue and Taxation.

House Bill No. 302 introduced by Morrow et al: A bill for an act entitled: "An act to appropriate money for the State Bureau of Mines and geology for the period beginning July 1, 1941, and ending June 30, 1943, in order to more adequately provide for discovery and development of new mineral resources." Referred to the Committee on Appropriations.

House Bill No. 303 introduced by the Committee on Judiciary: A bill for an act entitled: "An act amending Section 812.6 of the Revised Codes of Montana, 1935, relating to the placing of names of supreme court justices and district court judges on the primary ballots and amending Section 812.8 of the Revised Codes of Montana, 1935, relating to the counting and canvassing of votes for judicial offices and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Judiciary.

House Bill No. 304 introduced by Holding: A bill for an act entitled: "An act to amend Section 2589, Revised Codes of Montana, 1935, relating to licenses from the State Board of Health for manufacturers and purveyors of food and drinks, and repealing all acts in conflict therewith." Referred to the Committee on Public Health and Sanitary Affairs.

House Bill No. 305 introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Chapter 168 of the Code of Civil Procedure of the Revised Codes of Montana of 1935, entitled "General rules of examination" by adding thereto a section to be known as Section No. 10671.1 providing that a party to the record of any civil action or proceeding may call an adverse party or an officer, director, or managing agent of a public or private corporation or of a partnership or association which is an adverse party, and providing for the scope and effect of such examination." Referred to the Committee on Judiciary.

House Bill No. 306 introduced by the Committee on Judiciary: A bill for an act entitled: "An act relating to the nomination and election of justices of the supreme court and judges of the district courts and in relation thereto amending Sections 812.7 and 812.9 of the Revised Codes of Montana, 1935, and repealing all acts and parts of acts in conflict therewith." Referred to the Committee on Judiciary.

House Bill No. 307 introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Section 8277 of the Revised Codes of Montana, 1935, relating to the execution of mortgages of personal property and the affidavit of good faith attached thereto in certain cases." Referred to the Committee on Judiciary.

House Bill No. 308 introduced by McKenna: A bill for an act entitled: "An act to amend Section 6707 of the Revised Codes of Montana, 1935, by providing that leases, leases with option to purchase, agreements and tenancies executed or created under the supervision of the United States Department of Agriculture whether or not the leases, leases with option to purchase, agreements and tenancies affect property owned, leased or controlled by the United States, corporations, partnerships, or individuals, shall not be affected by the restrictions against agricultural leases for a period longer than ten years." Referred to the Committee on State Lands.

House Bill No. 309 introduced by Parker of Wibaux: A bill for an act entitled: "An act to amend Section 5932 of the Revised Codes of Montana of 1935, relating to recording and amendment of a corporation's by-laws." Referred to the Committee on Corporations other than Municipal.

House Bill No. 310 introduced by Saylor, Beazley, Hageman, Scofield and Parker of Wibaux: A bill for an act entitled: "An act to repeal Chap-

ter 208 of the Session Laws of 1939, relating to grass conservation and known as the Grass Conservation Act." Referred to the Committee on Conservation of Resources.

House Bill No. 311 introduced by Parker of Flathead, LaBonte and Bjorneby: A bill for an act entitled: "An act consenting to the acquisition by the United States of land, water or land and water, within Flathead county, Montana, for a migratory bird reservation as authorized by act of Congress of February 18, 1929, and providing for the establishment of such area as a state refuge in the discretion of the State Fish and Game Commission." Referred to the Committee on Fish and Game.

House Bill No. 312 introduced by Lippard: A bill for an act entitled: "An act to provide for the appropriation and expenditures of certain moneys to and by the Montana Park Commission and limiting the period of expenditures beginning July 1, 1941, and terminating June 30, 1943; and providing the retention within the state of certain archaeological specimens; and providing that research groups desiring to make exploration within the state shall first obtain a permit from the Park Commission so to do." Referred to the Committee on Appropriations.

House Bill No. 313 introduced by Lynch: A bill for an act entitled: "An act to amend Section 10 of Chapter 49 of the Session Laws of 1939, relating to an act providing for the regulation of the sale of food and food-stuffs, providing for a State Board of Food Distributors and defining its powers and duties, setting forth the requirements for licensing of food stores, restaurants, and other places, definitions and penalties and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Public Health and Sanitary Affairs.

House Bill No. 314 introduced by Rice and others: A bill for an act entitled: "An act appropriating money for repayment to Big Horn county of money paid by it to the State Insane Asylum by mistake and which was used for the direct benefit of all the people of Montana, and for which no reimbursement has been made to Big Horn county." Referred to the Committee on Appropriations.

House Bill No. 315 introduced by James et al: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 16 of Article XII of the Constitution of the State of Montana, relating to the assessment of railroad property and apportionment by the State Board of Equalization to counties, cities, towns, townships and school districts." Referred to the Committee on Constitutional Amendments.

House Bill No. 316 introduced by Martin of Fergus, Phelan, Vanek, Saylor, Roehl and Flook: A bill for an act entitled: "An act relating to the breeding, raising, production and marketing of domestic fur-bearing animals and the products thereof." Referred to the Committee on Fish and Game.

House Bill No. 317 introduced by Murray, Mernin, Clifford and McGreevey: A bill for an act entitled: "An act taxing mechanical loading machinery in coal mines." Referred to the Committee on Mines and Mining.

House Bill No. 318 introduced by Beck, Nelson, Dahlquist, Banka and James: A bill for an act entitled: "An act amending Section 10400.1 of the Revised Codes of Montana of 1935, relating to tax on direct and collateral inheritances, bequests and devises, and on transfers of property; and defining clear market value." Referred to the Committee on Judiciary.

House Bill No. 319 introduced by LaBonte, Byrne, Dillavou, and Loughran: A bill for an act entitled: "An act amending Section 590 of the Revised Codes of Montana of 1935, relating to the appointment of Judges of election." Referred to the Committee on Privileges and Elections.

House Bill No. 320 introduced by Ballard: A bill for an act entitled: "An act to amend Section 3682 of the Revised Codes of Montana of 1935, relating to license required for hunting or trapping game birds, game animals, or fur-bearing animals or fishing for any game fish." Referred to the Committee on Fish and Game.

House Bill No. 321 introduced by Hess, Beck, Martin of Fergus, Parker of Cascade, Gunderson, McKenna and Zuck: A bill for an act entitled: "An act to amend Section 2295.2 and 2295.28 of the Revised Codes of the State of Montana of 1935, relating to the rate of income tax and changing said rate of income tax and the disposition of the revenue therefrom." Referred to the Committee on Revenue and Taxation.

House Bill No. 322 introduced by Murray, Clifford, and McGreevey: A bill for an act entitled: "An act to provide for the parole of certain patients at the State Insane Asylum at Warm Springs and providing for recommitment if a paroled patient is not returned within the time allowed." Referred to the Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 323 introduced by LaBonte, Byrne, Dillavou, and Loughran: A bill for an act entitled: "An act to amend Section 5011 of the Revised Codes of Montana of 1935 relating to the appointment of election judges and clerks and the fixing of voting places, by the city council." Referred to the Committee on Privileges and Elections.

House Bill No. 324 introduced by Fewkes, Antrim, and Winters: A bill for an act entitled: "An act to amend Sections 1 and 9 of Chapter 128 of the Session Laws of Montana of 1939 relating to the appointment of the Montana State Board of Forestry, and relating to assessments against owners of forest land for its protection, and to amend Chapter 128 of the Session Laws of Montana of 1939 by adding a new section thereto relating to the right of an owner of forest lands to a hearing before the Montana State Board of Forestry." Referred to the Committee on State Boards and Offices.

House Bill No. 325 introduced by Ahern: A bill for an act entitled: "An act to amend Section 562 of the Revised Codes of Montana of 1935, as amended by Chapter 147 of the Session Laws of 1937, providing for the cancellation of registry for failure to vote and re-registration; and providing the manner of re-registration thereafter, and requiring county clerks to cancel registration of voters who failed to vote at general election held November 5, 1940." Referred to the Committee on Privileges and Elections.

House Bill No 326 introduced by Rice: A bill for an act entitled: "An act to amend Sections 4193.1, 4193.3 and 4193.5 of the Revised Codes of Montana of 1935, relating to the regulation of the sale of standard petroleum products; providing penalties for violation of the act; defining the purposes of the act and making it the duty of the county attorney to prosecute reported violations or explain his failure so to do, by providing that it shall be unlawful to enter into any agreement, understanding or combination to fix the price of any standard petroleum product in any locality within the State of Montana for the purpose of permitting free competition in the sale of such products, and making it the duty of the county attorney to prosecute violations; and providing that nothing contained in this act shall be construed as repealing or amending Sections 4193.2, 4193.4, 4193.6 and 4193.7." Referred to the Committee on Petroleum, Oil and Gas.

House Bill No. 327 introduced by Nelson, Phelan and Beck: A bill for an act entitled: "An act to provide for the inspection and analysis of commercial feeding stuffs and by whom and to regulate the sale thereof in the State of Montana; to define the term 'commercial feeding stuffs'; to provide for guarantees of the ingredients of commercial feeding stuffs and affixing labels to the packages thereof; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to regulate and license the sale of commercial feeding stuffs; to fix the penalties for the violation of the

provisions of this act." Referred to the Committee on Public Health and Sanitary Affairs.

House Bill No. 328 introduced by Nash: A bill for an act entitled: "An act prohibiting the wilful opening or publishing contents of a sealed letter by another person, without authority, than the person to whom it is addressed; and prescribing a penalty." Referred to the Committee on Judiciary

House Bill No. 329 introduced by Nash: A bill for an act entitled: "An act providing for the creation of a commission to make an analytical study of public school transportation and financial problems and of the state's contribution to the costs of public school elementary and secondary education and to make recommendations to the Twenty-eighth Legislative Assembly at its session in 1943 concerning legislation relating thereto; providing for the appointment of members, the powers and duties of such commission and appropriating money therefor." Referred to the Committee on Education.

House Bill No. 330: Introduced by the Committee on Agriculture: A bill for an act entitled: "An act to amend Sections 9, 10, 11, 15, 13, and 16 of Chapter 195 of the session laws of Montana, 1939, relating to the appointment of weed control and weed seed exterminators; relating to inspection of premises believed to contain weeds, relating to destruction of weeds and the payment of expenses incurred so doing; relating to the creation of a noxious weed fund, and relating to the authority of the commission to fix the amount to be paid from the noxious weed fund, and providing that the cost of exterminating noxious weeds along the right of way of a state or federal highway shall be paid from the state highway fund." Referred to the Committee on Agriculture.

House Bill No. 331: Introduced by Morrow: A bill for an act entitled: "An act providing that it shall be unlawful for any person, firm, association, corporation or municipality, whether as owner, lessee, licensee or occupant of any land in this state, to make any charge whatsoever for the privilege of hunting or fishing on said land." Referred to the Committee on Fish and game.

House Bill No. 332: Introduced by Phelan: A bill for an act entitled: "An act providing for the regulation and licensing of liquor and to authorize the sale at wholesale and retail of vinous liquors in Montana; providing for license fees and stamp tax for the sale thereof and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Public Morals, Charities and Reforms.

House Bill No. 333: Introduced by Rice: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section 6 and Section 14 of Article V of the Constitution of the State of Montana, relating to the time that legislative assemblies shall meet and the adjournment of the same." Referred to the Committee on Constitutional Amendments.

House Bill No. 334: Introduced by McGreevey, Cummings, and Hunter: A bill for an act entitled: "An act to amend Sections 2454.1, 2454.2, 2454.3, 2454.4, 2454.5, and 2454.6 Revised Codes of Montana of 1935, relating to the inspection, regulation, sanitation and licensnig of tourist lodges or guest ranches." Referred to the Committee on Public Morals, Charities and Reforms.

House Bill No. 335: Introduced by Busch, McKenna, Hess, Beck, and Martin of Fergus: A bill for an act entitled: "An act providing for the recall of elective county and/or city officers, the grounds for such recall, the percentage and number of signers necessary to petition such recall, the formation and filing of charges, the ballot synopsis of charges, the form and size of the petition, the checking thereof, the canvassing of the petition, the holding of an election and the conduct thereof, publishing results thereof, declaring vacancy of office and jurisdiction of courts to compel

performance of this act; relating to illegal signatures and false signing, corrupt practice and professional recallers, and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Judiciary.

House Bill No. 336: Introduced by Parker of Flathead and Allen: A bill for an act entitled: "An act to provide that the Montana highway patrol supervisor, in conjunction with the county commissioners of the several counties of the state, may designate portions of state and federal highways whereon it shall be unlawful to allow any livestock to run unless such livestock is accompanied by a herder; defining the word livestock; providing a penalty for the violation of this act and making it the duty of all peace officers, including Montana highway patrolmen to enforce the provisions hereof." Referred to the Committee on Judiciary.

House Bill No. 337: Introduced by Allen: A bill for an act entitled: "An act authorizing state and political subdivisions thereof or municipal corporations to complete projects now under construction; creating an emergency relief fund; providing for the levy of a tax and authorizing issuance of anticipatory emergency relief fund warrants." Referred to the Committee on Judiciary.

House Bill No. 338: Introduced by Allen: A bill for an act entitled: "An act to regulate the caravaning of motor vehicles upon the public highways of the State of Montana; defining the term "caravaning" providing for the licensing of motor vehicles in caravans and fixing the fee therefor; providing for the disposition of such fees; defining the duties of the registrar of motor vehicles hereunder imposing penalties for violation of this act." Referred to the Committee on Highways and Highway Transportation.

House Bill No. 339: Introduced by Parker of Flathead, Banka, Dahlquist, Toomey, and Byrne: A bill for an act entitled: "An act limiting the liability of a driver of a motor vehicle for personal injury to or death of a "guest" and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Judiciary.

House Bill No. 340: Introduced by McDaniel: A bill for an act entitled: "An act to provide for an apportionment of membership and representation of the several counties of Montana in the house of representatives of the legislative assembly of Montana and to fix the number of members thereof." Referred to the Committee on Apportionment and Representation.

House Bill No. 341: Introduced by McDaniel: A Bill for an act entitled: "An act to amend Section 2239 of the Revised Codes of Montana, 1935, as amended by Chapter 107 of the session laws of 1939, relating to the duty of county treasurers with respect to the collection of taxes on personal property not secured by a lien on real property." Referred to the Committee on Judiciary.

House Bill No. 342: Introduced by McDaniel by request: A bill for an act entitled: "An act defining dealers in finished furs and manufactured fur garments, requiring licenses for such dealers, and fixing the amount thereof and prescribing the conditions under which the same shall be issued; defining the powers and duties of the state board of equalization; designating the disposition of the funds, fixing a penalty for violations and designating the effective date of the act." Referred to the Committee on Fish and Game.

House Bill No. 343: Introduced by Cummings: A bill for an act entitled: "An act to amend Section 2620.45 of Chapter 240, Revised Codes of Montana, 1935, relating to license fees for persons, firms or corporations selling, exchanging or offering for sale, or having in possession with intent to sell, oleomargarine, imitation or filled cheese, or any substitute for any dairy product made from milk or cream, and exceptions thereto; repealing all acts in conflict herewith; and declaring that this act shall be in full force and effect from and after its passage and approval." Referred to the Committee on Revenue and Taxation.

House Bill No. 344: Introduced by Newell and Wilson: A bill for an act entitled: "An act to submit to the vote of the people of Montana the question of legalizing under license the operation of punch boards, of slot machines, and of other forms of gambling." Referred to the Committee on Revenue and Taxation.

House Bill No. 345: Introduced by the Committee on Education: A bill for an act entitled: "An act to amend Section 2433.1 and to repeal Section 2433.7 of the Revised Codes of Montana of 1935 relating to public contractor's license so as to permit bidding on public works without a license." Referred to the Committee on State Institutions, Buildings and Grounds.

House Bill No. 346: Introduced by Parker of Cascade, James, Winters, and Phelan: A bill for an act entitled: "An act providing for the stabilization of prices on dairy products, poultry products, fruits and vegetables; setting up standards of fair competition in such products; providing for the duties of the commissioner of agriculture, labor and industry under this act; and providing penalties for violation of the act." Referred to the Committee on Judiciary.

House Bill No. 347: Introduced by Oliver: A bill for an act entitled: "An act empowering the county commissioners of the several counties of the state to rebate the penalty and interest on delinquent taxes, when in their judgment they deem it to be for the best interest to the county to do so, notwithstanding the provisions of any existing laws." Referred to the Committee on Townships and Counties.

House Bill No. 348: Introduced by Toomey: A bill for an act entitled: "An act to amend Sections 633, 634, 635, 639, and 651, Revised Codes of Montana, of 1935, as amended and supplemented, relating to the direct primary, for the purpose of eliminating recognized weaknesses therein, by fixing the date of the primary election at the first Tuesday in September, abolishing the system of admitting any candidates to a place on the primary ballot upon payment of filing fees, and requiring candidates for nomination by direct primaries to submit their candidacies to state and county party assemblies and to be certified by such party assemblies for the primary ballot, or, in the alternative, to submit their candidacies by petition; to provide for the membership of such assemblies and election of delegates thereto by precinct electors, and prohibiting proxies under any circumstances; prescribing the powers of such party assemblies, limiting such assemblies to sit for two days, the first for organization and hearing petitions for and from candidates and in their behalf, and for nomination of candidates, and the second for balloting thereon; limiting the number of ballots; providing for the numbers of candidates to be certified by the assemblies for each place on the primary ballot and refusing assembly certification to any candidate who fails to receive 20% of the assembly vote; prohibiting trading, directly or indirectly, in candidacies and votes under penalties herein prescribed, and for relating purposes, and repealing Sections 632, 640 and 641, Revised Codes of Montana, of 1935." Referred to the Committee on Privileges and Elections.

House Bill No. 349: Introduced by O'Connor: A bill for an act entitled: "An act amending Section 5736.1 of the session laws of the twenty-fifth legislative assembly, relating to incurable diseases; and repealing all acts and parts of acts in conflict therewith." Referred to the Committee on Judiciary.

House Bill No. 350: Introduced by Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Carlson and Cummings: A bill for an act entitled: "An act to amend Section 3736 and 3777 of the Revised Codes of Montana, 1935, relating to fees for permits for the shipment of fish and game; and relating to permits for breeding and propagating game birds and animals and fur-bearing animals." Referred to the Committee on Fish and Game.

House Bill No. 351: Introduced by Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Carlson and Cummings: A bill for an act entitled: "An act to amend Sections 3696.1, 3696.2, 3696.3, 3696.4, 3696.5 and 3696.6 of the Revised Codes of Montana, 1935, relating to open seasons for elk in certain parts of the State of Montana, prescribing rules and regulations in connection with such open seasons, and providing for penalties for violation of those regulations." Referred to the Committee on Fish and Game.

House Bill No. 352: Introduced by Phelan by request: A bill for an act entitled: "An act regulating all benevolent corporations, associations, or societies operating on voluntary or involuntary assessment or contribution plan, which provide for protective and/or indemnity benefits." Referred to the Committee on Corporations Other Than Municipal.

House Bill No. 353: Introduced by Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Carlson and Cummings: A bill for an act entitled: "An act to amend Sections 3697, 3699, 3701 and 3719 of the Revised Codes of Montana, 1935, relating to open season for deer and penalties for the willful waste of deer meat; relating to the power of the commission to open season on Rocky Mountain sheep and goats and penalties for hunting Rocky Mountain sheep and goats during a closed season; relating to open and closed seasons for grouse and prescribing bag limits therefor; and relating to the killing of moose, bison, buffalo, caribou, or antelope." Referred to the Committee on Fish and Game.

House Bill No. 354: Introduced by Goodwin: A bill for an act entitled: "An act to appropriate money for the state department of public welfare of the State of Montana to be used for payments to persons having silicosis and for necessary expenses in making such payments for the period beginning July 1, 1941, and ending June 30, 1943." Referred to the Committee on Workmen's Compensation.

House Bill No. 355: Introduced by Toomey by request: A bill for an act entitled: "An act authorizing district judges, as well as clerks of district courts, to authorize, order and direct publications of summons, notices, and all other forms of process, orders and published advices, and to designate the newspapers for such publications in all cases where publication is required by law." Referred to the Committee on Judiciary.

House Bill No. 356: Introduced by Castles: A bill for an act entitled: "An act to amend Section 1757 of the Revised Codes of Montana, 1935, relating to motor vehicle number plates and prescribing the specifications thereon and establishing that the numbers assigned the various counties shall be according to the 1940 census; and providing that the numbers assigned the counties shall start with one for the county with the largest population and be assigned to the different counties consecutively according to the population of said counties." Referred to the Committee on Highways and Highway Transportation.

House Bill No. 357: Introduced by Dahlquist, Phelan, and Nelson: A bill for an act entitled: "An act to provide for the weighing of livestock at concentration points, and for the supervision and regulation of the weighing, fill, dockage and grading of livestock at such places, by the department of agriculture of the State of Montana and providing penalties for violation of this act." Referred to the Committee on Livestock and Public Ranges.

House Bill No. 358: Introduced by Dahlquist: A bill for an act entitled: "An act to amend Sections 3, 6, 8, 12, 14, 15 and 18 of Chapter 208 of the session laws of 1939, relating to the grass conservation act." Referred to the Committee on Conservation of Resources.

House Bill No. 359: Introduced by Murray and Clifford: A bill for an act entitled: "An act to amend Section 11171, Revised Codes of Montana,

1935, relating to officers neglecting duty in enforcing gambling laws, and penalty therefor." Referred to the Committee on Judiciary.

House Bill No. 360: Introduced by Murray, Clifford, and McGreevey: A bill for an act entitled: "An act to amend Sections 2343.1 and 2343.3 of the Revised Codes of Montana of 1935, as amended by Chapter 83 of the laws of 1937, relating to electrical energy producers' license tax and the distribution of said tax." Referred to the Committee on Revenue and Taxation.

House Bill No. 361: Introduced by McGreevey, Murray and Clifford. A bill for an act entitled: "An act to amend Section 2620.16, Revised Codes of Montana, 1935, relating to the licensing of creameries, butter factories, cheese factories and ice cream factories; providing the fees that shall be paid for such licenses, and providing that such creameries, butter factories, cheese factories and ice cream factories shall furnish a surety bond to secure payment for all milk, cream or other dairy products purchased." Referred to the Committee on Revenue and Taxation.

House Bill No. 362: Introduced by Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Carlson and Cummings: A bill for an act entitled: "An act to amend Sections 3651, 3653, 3654, 3661 and 3670 of the Revised Codes of Montana of 1935, relating to the appointment, qualifications, powers and duties and compensation of the Montana fish and game commission; relating to the qualifications and compensation and removal of deputy state fish and game wardens; and relating to the state fish and game fund." Referred to the Committee on Fish and Game.

House Bill No. 363: Introduced by Gunderson: A bill for an act entitled: "An act to provide for the compulsory installation and maintenance of reflectory caution, stop signs at all state highway and railroad intersections by the state highway commission; and the compulsory installation and maintenance of reflectory caution, stop signs at all intersections of county roads or highways with railroads by the boards of county commissioners of each county in the State of Montana; and the compulsory installation and maintenance of reflectory caution, stop signs at all highway and railroad intersections in the State of Montana; and requiring all vehicles to come to a full stop at such signs; and providing for a penalty and the enforcement thereof." Referred to the Committee on Highways and Highway Transportation.

House Bill No. 364: Introduced by Cannon, Ballard, Fewkes, McMichael, McGreevey, Miller, Winters, Carlson and Cummings: A bill for an act entitled: "An act to amend Sections 3683, 3684, 3694 and 3696 of the Revised Codes of Montana of 1935, and to amend Sections 3685 and 3685.3 of the Revised Codes of Montana of 1935, as amended by Chapter 174 of the session laws of Montana of 1939, relating to classes of and fees for fish and game licenses, and application for licenses; relating to restrictions on the manner of taking fish and game and powers of the commission relating thereto; and relating to the open season on elk and penalties for the willful waste of any portion of an elk." Referred to the Committee on Fish and Game.

House Joint Memorial No. 11: Introduced by Saylor, et al.: A memorial entitled: "A memorial to the congress of the United States of America urging the elimination of certain deferments now authorized by the present conscription law." Referred to the Committee on Federal Relations.

House Joint Memorial No. 12: Introduced by Busch: A memorial entitled: "A memorial to the congress of the United States requesting enactment of such legislation as may be necessary to provide for payments to counties to reimburse them for loss of tax receipts resulting from the use of certain lands by the United States of America." Referred to the Committee on Federal Relations.

House Joint Memorial No. 13: Introduced by Stevens, Goodwin and Toole: A memorial entitled: "A memorial to the president of the United States and the representatives of Montana in the congress of the United States expressing support of the president's national defense plans and the adoption by all honorable means to expedite the passage of the lend lease bill." Referred to the Committee on Federal Relations.

House Joint Memorial No. 14: Introduced by Morrow, Anson, McDaniel, Toomey, Harrison and Hunter: A memorial entitled: "A resolution memorializing the congress of the United States to exempt the incomes from gold mining from the excess profits tax of 1940." Referred to the Committee on Federal Relations.

House Joint Resolution No. 4: Introduced by Toomey: A house joint resolution entitled: "House joint resolution proposing an amendment to the constitution of the United States relative to taxes on incomes, inheritances and gifts, limiting the maximum rate of taxation on such sources for federal purposes and providing for exceptions in time of war and grave national emergencies." Referred to the Committee on Federal Relations.

Senate Joint Resolution No. 1: Introduced by the Committee on Judiciary: A resolution entitled: "A joint resolution declaring an emergency to exist and providing for employment of, and compensation for a competent secretary or committee clerk for the senate committee on judiciary during the twenty-seventh legislative assembly of the State of Montana pursuant to the authority granted by Section 77 of the Revised Codes of Montana, 1935. Referred to the Committee on Employment.

Senate Bill No. 21: Introduced by Nutt: A bill for an act entitled: "An act to amend Section 2815.30 Revised Codes of Montana, 1935, relating to the application and issuance of licenses to sell beer at retail, and to the qualifications of applicants." Referred to the Committee on Revenue and Taxation.

Senate Bill No. 30: Introduced by Maddox: A bill for an act entitled: "An act to amend Section 4742, Revised Codes of Montana, 1935, relating to the classification by counties by boards of county commissioners." Referred to the Committee on Townships and Counties.

Senate Bill No. 39: Introduced by the Committee on Privileges and Elections: A bill for an act entitled: "An act relating to the voting by taxpayers on questions concerning the creation of a levy, debt or liability for or on the part of the State of Montana." Referred to the Committee on Privileges and Elections.

Senate Bill No. 60: Introduced by Drumheller and Keeley: A bill for an act entitled: "An act to amend Section 12090, of the Revised Codes of Montana, 1935, relating to the duty of the sheriff on judgments of imprisonment." Referred to the Committee on Judiciary.

Senate Bill No. 61: Introduced by Plank: A bill for an act entitled: "An act validating certain tax deed and providing that no such deed shall be held invalid by reason of the failure of any county to comply with the requirements of the land classification laws of the State." Referred to the Committee on Judiciary.

Senate Bill No. 65: Introduced by Gilbert: A bill for an act entitled: "An act to amend Section 1002 and 1003 of the Revised Codes of Montana, 1935, as amended by Chapter 83 of the twenty-sixth legislative assembly of 1939, relating to the qualifications of the electors, challenges and oath of voters for school elections, and repealing all acts or parts of acts in conflict herewith." Referred to the Committee on Privileges and Elections.

Senate Joint Memorial No. 10: Introduced by Campbell, Cotter, Gilbert, Lott and Martinson: A memorial entitled: "A resolution memorial-

izing the congress of the United States for the passage of legislation authorizing the continuance of the purchase of silver." Referred to the Committee on Federal Relations.

Senate Joint Memorial No. 11: Introduced by the Committee on Stock Growing and Grazing: A memorial entitled: "A memorial memorializing the Honorable Franklin D. Roosevelt, President of the United States; the Honorable Cordell Hull, Secretary of State of the United States; the senators and representatives in congress from the State of Montana; and the foreign relations committee of the senate of the United States, opposing change of sanitary regulations governing the importation of livestock from countries where foot and mouth disease exists." Referred to the Committee on Federal Relations.

The Speaker excused Lehrkind and Davey for the remainder of the day.

THIRD READING

The following having been read three several times, history and title agreed to, was disposed of as follows; all appropriations measures having been read at length:

Senate Bill No. 26 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cole, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flock, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Tyler, Vanek, White, Wilson, Winters, Mr. Speaker. Total 78.

Noes: Simpson, Tonn, Toomey: Total 3.

Absent and not voting: Carlson, Clifford, Cummings, Davey, Eggenberger, Forbregd, Harrison, Horrigan, Lehrkind, Lowe, McMichael, Martin of Madison, Murray, O'Brien, O'Connor, Potter, Rasmussen, Watson, Welcome, Williams, Zuck. Total 21.

It was moved by Byrne, duly seconded and carried, that further consideration of business under Third Reading and General Orders be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, February 10th, 1941, at 11:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-SIXTH DAY

House of Representatives,
Helena, Montana,
February 10, 1941.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson and Welcome; Zuck, Clifford and Newell were excused to go to Havre on special committee work.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Thirty-fifth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 131, 133, 167, and 204, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 128, 104, and 156.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 36, 41, and 45 and House Joint Memorial No. 4.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 36 introduced by me and find the same to be correct.

ANTRIM.

I have examined House Bill No. 41 introduced by me and find the same to be correct.

ANTRIM.

I have examined House Bill No. 45 introduced by me and find the same to be correct.

ANTRIM.

I have examined House Joint Memorial No. 4 introduced by me and find the same to be correct.

SCOTT.

Mr. Speaker:

We, your committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 151, respectfully report as follows: That House Bill No. 151 be amended as follows: Section 2 by striking out in line 21 the word "director" and inserting in lieu thereof the word board; Section 5, line 1, after the word be, insert the following: 'in the English language in type not smaller than twenty-four (24) point condensed Gothic type in words and form as follows'; and strike out in Section 5 line 2 the words 'in words and form as follows'; Section 5, in line 7, by inserting before the word 'made' the words 'tagged and'; Section 9, by inserting as Section 9 (a) the following words 'No person or corporation by himself or by his agents, servants, or employees, shall cause to be renovated or remade, or buy, sell, offer for sale, or have in his possession with intent to sell, any renovated, or remade, or used, or second-hand mattress unless the

same has been sterilized and disinfected by a process approved by the State Board of Health,' and making Section 9, 9(b); Section 10 by striking out in line 23 the word 'director' and insert the word 'Board' and amend line 25 by striking the word "his" and; inserting in lieu thereof the word "its" Section 2 by striking out in line 28 the word 'gross'; Section 12, by deleting the whole paragraph and inserting in lieu thereof the following paragraph as Section 12, 'The State Board of Health shall have the right to condemn and seize any mattress which is found to be in violation of any of the provisions of this act or of any rule or regulation promulgated under the provisions of this act. Goods condemned and seized shall be presented before the nearest police judge or justice of the peace, together with all information obtained; and said police judge or said justice of the peace shall order such goods disposed of or destroyed in such manner as in his judgment will satisfy the requirements of this act.' And as amended do pass.

LYNCH, Chairman.

Report adopted.

The Speaker signed the following in open session: House Bills Nos. 36, 41, 45, House Joint Memorial No. 4, Senate Joint Memorials Nos. 7 and 9 and Senate Bill No. 22.

MOTIONS AND RESOLUTIONS

It was moved by James, duly seconded and carried, that House Bill No. 104 be taken from Third Reading and referred to the Committee on Education.

It was moved by Oliver, duly seconded and carried, that House Bill No. 260 be taken from the Committee on Appropriations and referred to the Committee on Livestock and Public Ranges.

It was moved by Armstrong, duly seconded and carried, that House Bill No. 266 be taken from the Committee on Insurance and referred to the Committee on Revenue and Taxation.

It was moved by Lynch, duly seconded and carried, that House Bill No. 227 be taken from the Committee on Public Health and Sanitary Affairs and referred to the Committee on Agriculture.

It was moved by Anderson, duly seconded and carried, that House Bill No. 282 be taken from the Committee on Petroleum, Oil and Gas and referred to the Committee on Highways and Highway Transportation.

THIRD READING

The following having been read three several times, history and title agreed to were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 187 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 84.

Noes: Castles. Total 1.

Absent and not voting: Beck, Cannon, Clifford, Cole, Green, Horrigan, Kirscher, Lippard, Newell, O'Brien, O'Connor, Rasmussen, Scofield, Spiegel, Watson, Welcome, Zuck. Total 17.

House Joint Memorial No. 3 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 87.

Absent and not voting: Aronson, Banka, Cannon, Clifford, Cole, Green, Horrigan, Kirscher, Murray, Newell, O'Brien, Scofield, Watson, Welcome, Zuck. Total 15.

House Bill No. 148 was passed by the following vote:

Ayes: Ahern, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Flook, Freshman, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hunter, Kemmis, Laubach, Lehrkind, Lippard, Loughran, Lowe, McGreevey, McMichael, Martin of Madison, Nash, O'Connor, Oliver, Parker of Wibaux, Potter, Reed, Rice, Roehl, Scofield, Simpson, Stevens, Toole, Toomey, White, Williams, Winters, Mr. Speaker. Total 58.

Noes: Allen, Anderson, Beazley, Beck, Dahlquist, Fewkes, Forbregd, Friedl, Harken, Hess, James, LaBonte, Lynch, McDaniel, McKenna, Martin of Fergus, Mernin, Miller, Nelson, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Saylor, Scott, Spiegel, Tonn, Tyler, Vanek, Wilson. Total 31.

Absent and not voting: Cannon, Clifford, Cole, Green, Horrigan, Kirscher, Morrow, Murray, Newell, O'Brien, Watson, Welcome, Zuck. Total 13.

House Bill No. 128 was passed by the following vote:

Ayes: Anderson, Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Busch, Carlson, Castles, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Kemmis, LaBonte, Laubach, Loughran, Lowe, McDaniel, McKenna, McMichael, Martin of Fergus, Nash, Nelson, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Potter, Saylor, Scofield, Stevens, Tonn, Vanek, White. Total 53.

Noes: Allen, Antrim, Armstrong, Blenkner, Byrne, Davey, Friedl, Harken, Hunter, James, Lehrkind, Lippard, Lynch, McGreevey, Martin of Madison, Mernin, Miller, Morrow, Murray, O'Connor, Parker of Wibaux, Phelan, Reed, Rice, Roehl, Scott, Simpson, Spiegel, Toole, Toomey, Tyler, Williams, Wilson, Winters, Mr. Speaker. Total 35.

Absent and not voting: Ahern, Burke, Clifford, Cole, Green, Horrigan, Kirscher, Newell, O'Brien, Rasmussen, Watson, Welcome, Zuck. Total 14.

House Bill No. 156 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Blenkner, Busch, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 84.

Noes: Lowe. Total 1.

Absent and not voting: Ahern, Armstrong, Bjorneby, Burke, Byrne, Clifford, Cole, Green, Horrigan, Kirscher, Newell, O'Brien, O'Connor, Rice, Watson, Welcome, Zuck. Total 17.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 11:50 A. M.: House Bills Nos. 11, 36, 41, and 45 and House Joint Memorial No. 4.

COLE, Chairman.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:15 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 179, respectfully report as follows: That House Bill No. 179 do pass.

FRESHMAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 49, respectfully report as follows: That Senate Bill No. 49 be not concurred in.

VANEK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 15, respectfully report as follows: That Senate Bill No. 15 be concurred in.

FRESHMAN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 10 by Armstrong was this day read third time and concurred in

as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in the Senate Amendments.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

CONSIDERATION OF GENERAL ORDERS

It was movd by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Parker of Wibaux in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bill No. 47 be not concurred in and that a conference committee be appointed by the House and a like committee be requested from the Senate.

That Substitute House Bill No. 14 be amended as follows:

Amend Line 14, Section 3 by changing the words and figures "seven cents (7c)" to the words and figures "five cents (5c)" and in line 16 by changing the words and figures "seven cents (7c)" to the words and figures "five cents (5c)";

Amend Section 1 by striking in line 5 the words "except sheriffs."

Amend Section 4, line 33 by striking the words and figures "seven cents (7c)" and inserting in lieu thereof the words and figures "five cents (5c)"

and that the same do pass, as amended;

That House Bill No. 61 do pass;

That House Bill No. 124 be amended as follows:

Amend Section 1, line five by striking the word "adopted" and inserting in lieu thereof the word "authorized"

and that the same do pass, as amended;

That consideration of House Bill No. 112 be passed for the day;

That consideration of House Bill No. 195 be passed for the day;

That House Bill No. 62 be amended as follows:

Amend Section 1, line 6 by striking the words "twenty-two" and inserting in lieu thereof the words "twenty-six"; amend line 11 by inserting after the word "and" and before the word "shall" the words "irrespective of such total registered vote in such county."; amend line 14 by inserting after the word "excepted" the words "and provided further that in order to procure the certificate of authority herein mentioned, it will not be necessary to have for use a set of abstract books or system of indices as provided for in Section 4139.11 Revised Codes of Montana, 1935."

and that the same do pass as amended;

That House Bill No. 127 do pass;

That consideration of House Bill No. 221 be passed for the day;

That House Bill No. 138 do pass;

That House Bill No. 188 do pass;

That House Bill No. 55 do pass;

That House Bill No. 116 do pass;

That House Bill No. 175 do pass;

That House Bill No. 176 do pass;

That consideration of House Bill No. 194 be passed for the day.

PARKER OF WIBAUX,
Chairman.

It was moved by Parker of Wibaux, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Ahern, duly seconded and carried, that House Bill No. 116 be segregated from the report of the Committee of the Whole.

Whereupon, the report of the Committee of the Whole was adopted as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 220, 180, 111, 164, and 219, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, February 11th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-SEVENTH DAY

House of Representatives,
Helena, Montana,
February 11, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Stevens, Watson and Welcome.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 47: McKenna, Hunter and Lynch.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-sixth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 160, 157, 161, 158, 171, 126, 224, 159, 183, 119, 199, Substitute House Bill No. 87 and Substitute House Bill No. 168, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Joint Memorial No. 6, respectfully report as follows: That House Joint Memorial No. 6 be amended as follows: On page 1, line 7, after the word land, insert the following: and millions of acres of other Federally owned lands. On page 1, lines 11 and

12, by striking the word "national" and inserting in lieu thereof the word "nationally", and on line 12, by striking the word "forest" and inserting in lieu thereof the word "owned"; on page 1, line 15, by striking the word "national" and inserting in lieu thereof the word "nationally" and on the same line, by striking the word "forest" and inserting in lieu thereof the word "owned"; also by adding on page 1, line 19, after the word "lands" the words, "and other purposes." And as amended do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 3, respectfully report as follows: That Senate Bill No. 3 be amended by striking out the words "less than" in the title in line 5 and by inserting in lieu thereof the words "not exceeding"; by striking out the words "less than" in line 7 of the title and by inserting in lieu thereof the words "not exceeding"; by striking out the words "less than" in line 13 of Section 1 thereof and inserting in lieu thereof the words "not exceeding"; by striking out the words "less than" in line 14 of Section 1 thereof and by inserting in lieu thereof the words "not exceeding"; and also be amended in Section 1, page 1, line 27 of the original bill, line 13 of the printed bill, after the word "administration", the words "subject to whatever mortgages, liens or encumbrances there may be upon said estate at the time of the death of the deceased," and by striking all of Section 1 after the word "discovered" in line 29, page 1 of the original bill, line 14 of the printed bill and inserting in lieu thereof the following: "when it so appears that the value of the whole estate does not exceed the sum of three thousand dollars, and the expenses of his last illness, funeral charges, and expense of administration, as well as all other debts of the estate, have been paid, it is in the discretion of the court or judge, by an order for that purpose after notice to all persons interested to appear on a day fixed to show cause why such order should not be made, to assign the whole of the estate to the widow and minor child or minor children, if there be a widow and minor child or minor children, and if there be no children then to the widow, and if no widow then to the minor child or minor children, in the same manner as above provided in the case where the value of the whole estate does not exceed the sum of fifteen hundred dollars, and in such case also the title thereof shall vest absolutely in such widow and minor child or minor children, subject to whatever mortgages, liens or encumbrances there may be upon said estate at the time of the death of deceased. The notice to creditors must be given to present their claims within four months after the first publication of such notice, and those not so presented are barred as in other cases." And as so amended, recommend that said Senate Bill No. 3 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 4, respectfully report as follows: That Senate Bill No. 4 be amended as follows:

That the title be amended by striking out the period and the quotation marks following the same in line 5 of said bill, and by inserting in lieu thereof the following: "and declaring the evidentiary effect of such deed."

That Section 1 of said bill be amended by striking out of line 9 thereof the word "issued" and by inserting in lieu thereof the word "recorded"; by striking out the words "in such deed" in line 11 thereof and by inserting in lieu thereof the following: "or his successors in interest,"; by inserting a period after the word "inclusive" in line 15 thereof and by striking out the following: "and shall be taken, considered and treated as having conveyed to the grantee therein an absolute title free from all encumbrances in lines 15, 16 and 17; that Section 2 of said bill be amended by striking out

the words "issued and" in line 19 thereof; by striking out the word "and" and inserting in lieu thereof the word "if" in line 19 thereof; by inserting after the word "grantee" and before the word "took" in line 20 thereof, the following: ", or his successors in interest,"; by striking out the words "more than one year before" in line 20 and 21, and by inserting in lieu thereof the words "prior to"; by striking out the period in line 23 thereof and by inserting "; and if possession was not taken prior to the passage and approval of this act, no such action shall be commenced, unless commenced within one year from the date of taking possession."; and by striking out the following in lines 26, 27 and 28: ", and the deed shall be taken, considered and treated as having conveyed to the grantee an absolute title to the property described therein, free from all ncumbrances." and by inserting in lieu thereof a period.

And that as so amended the same be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 be amended by striking in line 19, page 3, "March 31, 1942" and inserting in lieu thereof "November 15, 1942", and that as amended, said House Bill No. 207 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 be amended as follows:

Page 2, line 26, insert after the word "thereto", the words "shall be set aside in a special fund and".

Page 2, line 29, strike all of the words after "endowments" in line 29, and strike all of line 30, and insert in lieu thereof, the words "and all trust funds."

Page 3, strike all of lines 9 and 10 and insert in lieu thereof, the words "all trust funds".

Page 3, strike lines 14, 15 and 16, and insert in lieu thereof, the following words and figures: "All moneys collected by the Experiment Station and Animal Husbandry department shall be set aside in a special fund, from which fund there is hereby appropriated for the use of the Montana Agricultural Experiment Station, for salaries and expenses, nineteen thousand two hundred sixty-five dollars, (\$19,265.00).

Page 3, strike all of lines 19 and 20 and insert in lieu thereof the words "trust funds".

Page 4, strike all of lines 10 and 11 and insert in lieu thereof the words "all trust funds".

Page 4, strike all the words after "federal funds" in line 18, and all of lines 19 and 20, and insert in lieu thereof, the words "and all trust funds."

Page 4, strike the balance of line 30, after the word "endowments", and all of lines 31 and 32, and insert in lieu thereof, the words "and all trust funds."

Page 5, strike all the words in line 13, after the word "law" and all of line 14, and insert in lieu thereof, the words "and all trust funds."

Page 5, strike all the words in line 23, after the word "law" and all of line 24, and insert in lieu thereof, the words "and all trust funds".

Page 5, strike all the words in line 32, after the word "appropriated" and all of line 1, on page 6, and insert in lieu thereof the words "and all trust funds".

Page 6, line 26, insert after the word "thereto" the words "shall be set aside in a special fund, and".

Page 6, line 29, strike all of the words after "endowments" in line 29, and strike all of line 30, and insert in lieu thereof, the words "and all trust funds."

Page 7, strike all of lines 9 and 10 and insert in lieu thereof the words "all trust funds".

Page 7, strike all of lines 14, 15 and 16 and insert in lieu thereof, the following words and figures: "All moneys collected by the Experiment Station and Animal Husbandry department shall be set aside in a special fund, from which fund there is hereby appropriated for the use of the Montana Agricultural Experiment Station, for salaries and expenses, nineteen thousand and two hundred sixty-five dollars, (\$19,265.00).

Page 7, strike all of lines 19 and 20 and insert in lieu thereof the words "trust funds".

Page 8, strike all of lines 10 and 11, and insert in lieu thereof the words "all trust funds."

Page 8, strike all the words after "federal funds" in line 18, and all of lines 19 and 20, and insert in lieu thereof the words "and all trust funds".

Page 8, strike the balance of line 30 after the word "endowments" and all of lines 31 and 32, and insert in lieu thereof the words "and all trust funds."

Page 9, strike all the words in line 13, after the words "existing law" and all of line 14, and insert in lieu thereof, the words "and all trust funds."

Page 9, strike all the words in line 23 after the words "existing law" and all of line 24, and insert in lieu thereof, the words "and all trust funds".

Page 9, strike all the words in line 32, after the word "appropriated" and all of line 1 on page 10, and insert in lieu thereof, the words "and all trust funds".

Page 10, line 25, insert after the words "except at", the words "Eastern Montana State Normal School at Billings,".

Page 10, strike all of Section 6,

And that as amended, House Bill No. 174 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 88, respectfully report as follows: That House Bill No. 88 do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fairs and Expositions, having had under consideration House Bill No. 245, respectfully report as follows: That House Bill No. 245 be re-referred to Committee on Revenue and Taxation.

RASMUSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 290, respectfully report as follows: That House Bill No. 290 do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 271, respectfully report as follows: That House Bill No. 271 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do pass.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 29, respectfully report as follows: That Senate Bill No. 29 be concurred in.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 do not pass.

TYLER, Chairman.

It was moved by Tyler, duly seconded, that the report of the committee on Townships and Counties be adopted.

On substitute motion, it was moved by Oliver, duly seconded and carried, that House Bill No. 347 be re-referred to the Committee on Townships and Counties.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 44, respectfully report as follows: That Senate Bill No. 44 be concurred in.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 30, respectfully report as follows: That Senate Bill No. 30 be concurred in.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Corporations other than Municipal, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do pass.

COLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 354, respectfully report as fol-

lows: That House Bill No. 354 be re-referred to the Appropriations Committee.

FRESHMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 is herewith reported out without recommendation.

DOUGHERTY, Chairman.

Report adopted.

It was moved by O'Connor, duly seconded and carried, that House Bill No. 102 be placed on General Orders.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 172, respectfully report as follows: That House Bill No. 172 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 43, respectfully report as follows: That Senate Bill No. 43 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings and Grounds, having had under consideration House Bill No. 345, respectively report as follows: That House Bill No. 345 do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your majority Committee on Insurance, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 do not pass.

HAZELBAKER,
BURKE,
TYLER,
FRESHMAN,
POTTER,
SCOFIELD,
HUNTER,
LaBONTE,
BUSCH.

Mr. Speaker: We, your minority Committee on Insurance, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 do pass.

RICE,
BJORNEBY,
MERNIN.

It was moved by Hazelbaker, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by Rice, duly seconded and carried, that the report of the minority be adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 46, by Chadwick, was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence.

I am directed by the Senate to inform your Honorable Body that House Bill No. 22, by Holding, was this day read third time and concurred in AS AMENDED, title and history agreed to, and same is herewith returned to the House for concurrence in the Senate amendments.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, and the same are herewith returned to the House:

H. B. No. 110, by Goodwin.

H. B. No. 115, by Cannon and Lowe.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, granted the request of the House for the return of S. B. No. 6 for further consideration, and the bill is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, passed consideration of the House amendments to S. B. No. 26 until Wednesday, February 12th.

I am directed by the Senate to inform you that on motion of Senator Keeley, this day, the cordial invitation of the House of Representatives of the Twenty-seventh Legislative Assembly to unite with them in the Lincoln Memorial day program at 2:00 P. M. February 12, 1941, in the House chambers was accepted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Ahern, duly seconded and carried, that House Bill No. 116 be taken from General Orders and referred to the Committee on Judiciary.

It was moved by Rice, duly seconded and carried, that House Bill No. 152 be referred to the Committee on Appropriations.

It was moved by Toole, duly seconded and carried, that the House reconsider its action on Senate Bill No. 49.

It was moved by Toole, duly seconded and carried, that the House request the Honorable Senate to return to the House Senate Bill No. 49 for further consideration.

It was moved by Toomey, duly seconded and carried, that Senate Bill No. 6 be re-referred to the Committee on State Boards and Offices.

It was moved by Clifford, duly seconded and carried, that consideration of House Bill No. 112 be passed for the day.

It was moved by Byrne, duly seconded and carried, that Senate Bill No. 21 be taken from the Committee on Revenue and Taxation and referred to the Committee on Public Morals, Charities and Reforms.

It was moved by Byrne, duly seconded and carried, that House Bills Nos. 194 and 195 be taken from General Orders and referred to the Committee on Judiciary.

Point of Order raised by O'Connor of Carbon on House Bill No. 339 in relation to Joint Rule No. 8: That said bill has the same subject matter as House Bill No. 154 which was rejected by the House on an adverse committee report on February 7th, 1941. On motion by O'Connor, duly seconded and carried, said point of order was referred to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Lynch, duly seconded and carried, that House Bill No. 313 be taken from the Committee on Public Health and Sanitary Affairs and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committee:

Senate Bill No. 46 introduced by Chadwick: A bill for an act entitled: "An act to amend Section 3776.7 of the Revised Codes of Montana, 1935, as amended by Chapter 147 of the Twenty-sixth Legislative Assembly, 1939, relating to the establishment and description of Little St. Joe Game Preserve." Referred to the Committee on Fish and Game.

It was moved by Armstrong, duly seconded and carried, that the House defer consideration of General Orders until the afternoon session.

It was moved by Byrne, duly seconded and carried, that the House recess until one o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Messrs. Zuck, Clifford and Newell, members of the special committee investigating the schools at Havre and Bozeman, were excused, for the afternoon session.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 117, 179, 151, 243, and Substitute House Bill No. 46, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 138, 124, 127 and 188.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 be re-referred to the Committee on Public Health and Sanitary Affairs.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker:

We, a majority of the Workmen's Compensation Committee, having had under consideration House Bill No. 74, respectfully report as follows: That House Bill No. 74 do not pass.

ARONSON,
ANDERSON,
SCOFIELD,
O'BRIEN,
FRESHMAN,
TOOLE,
STEVENS,
GEBHARDT,
HAMMOND,
McDANIEL.

Mr. Speaker:

We, a minority of the Workmen's Compensation Committee, having had under consideration House Bill No. 74, respectfully report as follows: That House Bill No. 74, do pass.

MERNIN,
BEAZLEY,
MURRAY.

It was moved by Aronson, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by Mernin, duly seconded, that the report of the minority be adopted.

A Call of the House was demanded by the required number. After the clerk called the roll, on motion, duly seconded and carried, further Call of the House was dispensed with.

After considerable discussion, the previous question was moved by Freshman, duly seconded and carried.

A roll call, to be entered in the Journal, was requested by the required number and the substitute motion to adopt the minority report on House Bill No. 74 lost by the following vote:

Ayes: Armstrong, Banka, Beazley, Beck, Bjorneby, Cannon, Curran, Dahlquist, Friedl, Gunderson, Holding, Hess, Kemmis, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nelson, Parker of Cascade, Petersen, Phelan, Rice, Saylor, Spiegel, Tonn. Total 26.

Noes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Cummings, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Morrow, Nash, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Mr. Speaker. Total 69.

Noes: Clifford, Newell, Stevens, Watson, Zuck. Total 5.

Paired: Vanek, Welcome. Total 2.

Whereupon the report of the majority was adopted.

Mr. Speaker:

We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration House Bill No. 339, respectfully report as fol-

lows: That we sustain the point of order raised by motion of O'Connor on House Bill No. 339 and reject further consideration of House Bill No. 339.

CANNON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Rules, Joint Rules and Order of Business, respectfully report as follows: That the following be adopted and added as House Rule 61:

"No bill shall be introduced or re-introduced in the House or considered by the House after a previous bill containing the same subject matter or substantially the same subject matter and designed to accomplish the same purpose has been finally rejected by the House."

CANNON, Chairman.

It was moved by Cannon, duly seconded, that the report of the Committee on Rules, Joint Rules and Order of Business be adopted.

On substitute motion, it was moved by Byrne, duly seconded and carried, that the report of the Committee on Rules, Joint Rules and Order of Business be re-referred to that Committee for further consideration.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343 be referred to the Dairy Committee.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration House Rule No. 9, respectfully report as follows: That we drop the committee on Equal Suffrage after adjournment of the Twenty-seventh Session of the Legislature, and that the same be deleted from the printing of current rule book.

CANNON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration Joint Rule No. 23, respectfully report as follows: That Joint Rule No. 23 be amended by striking out the word Forty-seventh and inserting in lieu thereof the word Fiftieth.

CANNON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 85, respectfully report as follows: That House Bill No. 85 do not pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 be amended by striking, in Section 1, the following: The word "the" following the word "from" in line 13 and inserting in lieu thereof the word "a" and striking all of the words in line 14 following the word "court" and by striking in line 15, the words "at least three days" and by striking in line 16, the words "provided that in case of" and by striking all of line 17, all of line 18, all of line 19 and all of line 20 through the word "days", and by striking in line 23, the words "at the expiration of said three days". and as amended do pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 be referred to the Committee on Dairying.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 216, respectfully report as follows: That House Bill No. 216 do pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Affairs of Cities, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 do not pass.

HESS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration

House Bill No. 198, respectfully report as follows: That House Bill No. 198 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 241, respectfully report as follows: That House Bill No. 241 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 299, respectfully report as follows: That House Bill No. 299 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 175, 62, and 61.

SAYLOR, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Morrow, duly seconded and carried, that consideration of House Bill No. 164 on General Orders be passed for the day.

It was moved by Byrne, duly seconded and carried, that consideration of House Bill No. 131 on General Orders be passed for the day.

Permission was granted the Committee on Water Conservation and Flood Control, to be excused from the House Chambers at 3:00 o'clock P. M. in order to attend a meeting of the State Water Conservation Board.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 138 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Aronson, Ballard, Blenkner, Burke, Carlson, Castles, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Forbregd, Freshman, Gebhardt, Gunderson, Hammond, Harken, Holding, Horrigan, Hunter, Lehrkind, Lippard, Loughran, McGreevey, McMichael, Martin of Madison, Mernin, Morrow, Murray, O'Brien, O'Connor, Parker of Cascade, Phelan, Potter, Rice, Roehl, Saylor, Scott, Spiegel, Toole, Toomey, Tyler, White, Williams, Wilson, Mr. Speaker. Total 52.

Noes: Ahern, Antrim, Armstrong, Banka, Beck, Bjorneby, Busch, Byrne, Dahlquist, Fewkes, Flook, Friedl, Goodwin, Hageman, Harrison, Hazelbaker, James, Kemmis, Kirscher, LaBonte, Laubach, Lowe, Lynch, McDaniel, McKenna, Martin of Fergus, Miller, Nash, Nelson, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Rasmussen, Reed, Scofield, Simpson, Tonn, Vanek, Winters. Total 40.

Absent and not voting: Beazley, Cannon, Clifford, Green, Hess, Newell, Stevens, Watson, Welcome, Zuck. Total 10.

House Bill No. 124 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Tonn, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Mrs. Speaker. Total 89.

Noes: Busch. Total 1.

Absent and not voting: Cannon, Clifford, Goodwin, Harrison, Hess, Morrow, Newell, Stevens, Vanek, Watson, Welcome, Zuck. Total 12.

House Bill No. 127 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Blenkner, Burke, Busch, Byrne, Castles, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Flook, Freshman, Gebhardt, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McMichael, Miller, Morrow, Nash, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Potter, Rasmussen, Reed, Roehl, Scofield, Simpson, Toole, Toomey, White, Williams, Wilson, Mr. Speaker. Total 62.

Noes: Anderson, Banka, Beazley, Beck, Bjorneby, Dahlquist, Fewkes, Forbregd, Friedl, Gunderson, Holding, Laubach, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Murray, Nelson, Parker of Cascade, Petersen, Phelan, Rice, Saylor, Scott, Spiegel, Tonn, Tyler, Vanek, Winters. Total 30.

Absent and not voting: Cannon, Carlson, Clifford, Goodwin, Hess, Newell, Stevens, Watson, Welcome, Zuck. Total 10.

House Bill No. 188 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hunter, James, Kemmis, Kirscher, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Miller, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Tonn, Toole, Toomey, Vanek, White, Wilson, Winters, Mr. Speaker. Total 78.

Noes: Dahlquist, LaBonte, McGreevey, Martin of Fergus, Mernin, Murray, O'Connor, Parker of Cascade, Petersen, Spiegel, Tyler. Total 11.

Absent and not voting: Anderson, Cannon, Clifford, Goodwin, Hess, Horrigan, Morrow, Newell, Stevens, Watson, Welcome, Williams, Zuck. Total 13.

House Bill No. 175 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters. Total 75.

Noes: Blenkner, Eggenberger, Esp, Fewkes, Hazelbaker, Hunter, McDaniel, Martin of Madison, Miller, Scofield, Simpson. Total 11.

Absent and not voting: Allen, Aronson, Clifford, Dougherty, Gebhardt, Hageman, Lehrkind, Lippard, Morrow, Newell, Stevens, Watson, Welcome, Williams, Zuck, Mr. Speaker. Total 16.

House Bill No. 62 was passed by the following vote:

Ayes: Ahern, Anderson, Antrim, Armstrong, Ballard, Beck, Bjorneby, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Gunderson, Hammond, Holding, Hess, James, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, McDaniel, McGreevey, McMichael, Mernin, Miller, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Reed, Rice, Scofield, Scott, Toole, Vanek, White, Wilson, Winters. Total 57.

Noes: Allen, Beazley, Blenkner, Burke, Busch, Davey, Eggenberger, Flook, Friedl, Green, Harken, Harrison, Horrigan, Hunter, Kemmis, Lowe, Lynch, McKenna, Martin of Fergus, Potter, Roehl, Simpson, Tonn, Toomey, Tyler. Total 25.

Absent and not voting: Anson, Aronson, Banka, Clifford, Hageman, Hazelbaker, Lippard, Martin of Madison, Morrow, Newell, Petersen, Rasmussen, Saylor, Spiegel, Stevens, Watson, Welcome, Williams, Zuck, Mr. Speaker. Total 20.

House Bill No. 61 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beazley, Bjorneby, Burke, Busch, Byrne, Cannon, Castles, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Flook, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Harken, Harrison, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Lowe, Lynch, McGreevey, Mernin, Murray, Nash, O'Brien, Oliver, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Toole, Toomey, Vanek. Total 56.

Noes: Banka, Beck, Blenkner, Carlson, Cole, Curran, Eggenberger, Esp, Forbregd, Gunderson, Hazelbaker, Horrigan, Kemmis, Lippard, Loughran, McDaniel, McKenna, McMichael, Miller, Nelson, O'Connor, Parker of Flathead, Parker of Cascade, Simpson, White, Wilson, Winters. Total 27.

Absent and not voting: Clifford, Cummings, Hageman, Martin of Madison, Martin of Fergus, Morrow, Newell, Parker of Wibaux, Petersen, Rasmussen, Scofield, Stevens, Tonn, Tyler, Watson, Welcome, Williams, Zuck, Mr. Speaker. Total 19.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Toomey in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 221 be amended as follows:

Amend Section 1, by striking out in line 22 the word "person" and inserting in lieu thereof the word "employment"

and as amended that the same do pass;

That House Joint Memorial No. 7 do pass;

That Substitute Senate Bill No. 18 be concurred in;

That House Bill No. 146 do pass;

That Senate Amendments to House Bill No. 10 be concurred in;

That consideration of Senate Bill No. 15 be passed for the day;

That consideration of House Bill No. 111 be passed for the day;

That House Bill No. 133 do pass;

That House Bill No. 167 do pass;

That House Bill No. 180 do pass;

That House Bill No. 204 do pass;

That House Bill No. 219 do pass;

That House Bill No. 220 be amended as follows:

Amend the title by striking the period and quotes at the end thereof and substituting a comma and adding the following:

"and to enact Section 1465.1 of the Revised Codes of Montana, 1935, relative to the duty of physicians to report the names of such persons 18 years of age and under to said officer."

Amend Section 2 by inserting after the figure "2" in line 27 the words "There is hereby established a new section of the Revised Codes of Montana, 1935, to be known and numbered as Section 1564.1 as follows:"

Amend Section 3 by striking out in line 3, page 2, the words "Section 3. Section 2 of this Act." and inserting in lieu thereof the words "The Provisions of this Act."

Amend Section 4 by striking out in line 5 the figure "4" and insert in lieu thereof the figure "3", and that the same do pass as amended.

TOOMEY, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday, February 12th, 1941, at 10:00 A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-EIGHTH DAY

House of Representatives,
Helena, Montana,
February 12, 1941

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson and Welcome. Zuck, Clifford and Newell were excused to go to Bozeman on special committee work.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Thirty-seventh Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 176, House Bill No. 55, Substitute House Bill No. 14.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 172, 345, 88, Substitute House Bill No. 1 and House Joint Memorial No. 6, House Bill No. 201 and House Bill No. 290, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Health, having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184 do not pass.

LYNCH, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Safety, having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 do pass.

O'BRIEN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244 do not pass.

BYRNE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 20—Repealing Section 552, R. C. M. '35, relating to establishment of voting precincts within or at an Indian agency.

H. B. No. 11—Prohibiting use of certain canes except by blind persons.

H. B. No. 36—To validate certain contracts for purchase of unredeemed property from counties.

H. B. 41—Relating to reports with reference to net proceeds of mines by dissolved corporations.

H. B. No. 45—Relating to reports with reference to metal mines license tax by dissolved corporations.

House Joint Memorial No. 4—Relating to cancellation of seed wheat loan contracts.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

S. B. No. 53, by Arnold.

S. B. No. 62, by Liggett, et al.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 40, by Rev. and Tax Committee.

H. B. No. 43, by Rev. and Tax Committee.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 44, by Rev. and Tax. Committee.

H. B. No. 33, by Petersen, et al.

H. B. No. 38, by Rev. and Tax. Committee.

H. B. No. 39, by Rev. and Tax. Committee.

H. B. No. 84, by Williams.

H. B. No. 93, by Newell.

H. B. 99, by Committee on Appropriations.

I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion and at the request of the House, appointed Senators Baker (Dawson), Simmons and Campbell as the conference committee to act with a like committee from the House for the consideration of Senate amendments to H. B. No. 47.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Murray, duly seconded and carried, that Substitute House Bill No. 87 be taken from General Orders and referred to Appropriations.

It was moved by Armstrong, duly seconded and carried, that consideration of House Bill No. 112 under General Orders be passed for the day.

It was moved by O'Connor, duly seconded, that the House reconsider its action in adopting an adverse report of the Committee on Appropriations on House Bill No. 302. Motion was lost.

It was moved by Fewkes, duly seconded and carried, that consideration of House Bill No. 55 on Third Reading be passed for the day.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 53: Introduced by Arnold: A bill for an act entitled: "An act assenting to the provisions of an act of congress entitled 'An act to provide that the United States shall aid the states in wild life restoration projects and for other purposes,' approved September 2, 1937, and known as 50 Federal Statutes 917, and for the passage of appropriate legislation required thereunder, and vesting certain authority in the Montana Fish and Game Commission in connection therewith, and providing certain reservations in the acceptance of the federal benefits and in the operation of said act of congress within the State of Montana and in the operation of this act." Referred to Committee on Fish and Game.

Senate Bill No. 62: Introduced by Ligget, Clayton, Findlater, Fowlie, Henderson, Morrison, and Chadwick: A bill for an act entitled: "An act requiring the countersignature of insurance policies by resident agents; limiting right of countersignature to resident agents of commission paying companies excepting such companies soliciting business exclusively by salaried representatives; providing for a minimum commission which shall be payable to resident countersigning agents on risks located in this State that the policies for which originate without the state; resident agents to keep records of policies so originating without the State so that the State may receive the premium tax; permitting exchange of business and division of commission by resident agents; providing that this act shall not be applicable to rural mutual insurance companies nor to life insurance companies nor to fraternal benefit societies; providing penalties for the viola-

tion of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Insurance.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Amendments to House Bill No. 10 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Miller, Morrow, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Vaney, Williams, Wilson, Winters, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Anson, Antrim, Cannon, Clifford, Cummings, Curran, Freshman, Lehrkind, Lippard, Martin of Fergus, Newell, Parker of Flathead, Reed, Scofield, Tonn, Tyler, Watson, Welcome, White, Zuck. Total 20.

Substitute Senate Bill was concurred by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Mr. Speaker. Total 86.

Noes: Kemmis, Miller. Total 2.

Absent and not voting: Antrim, Cannon, Clifford, Cummings, Curran, Lehrkind, Lippard, Newell, Reed, Tonn, Watson, Welcome, White, Zuck. Total 14.

House Bill No. 176 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toomey, Vaney, Williams, Wilson, Winters, Mr. Speaker. Total 80.

Noes: Banka and Dahlquist. Total 2.

Absent and not voting: Antrim, Cannon, Clifford, Cummings, Curran, Hammond, Horrigan, Lehrkind, Lippard, Morrow, Murray, Newell, Reed, Tonn, Toole, Tyler, Watson, Welcome, White, Zuck. Total 20.

Substitute House Bill No. 14 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Aronson, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Carlson, Castles, Cole, Dahlquist, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kirscher, LaBonte, Lowe, Lynch, Martin of Madison, Martin of Fergus, Miller, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Tonn, Toole, Toomey, Vanek, Williams, Wilson, Winters. Total 57.

Noes: Anson, Ballard, Burke, Freshman, Goodwin, Gunderson, Horrigan, James, Kemmis, Laubach, Loughran, McDaniel, McGreevey, McKenna, McMichael, Mernin, Morrow, Nash, Nelson, O'Brien, Parker of Cascade, Petersen, Potter, Spiegel, Stevens. Total 25.

Absent and not voting: Antrim, Armstrong, Banka, Cannon, Clifford, Cummings, Curran, Davey, Dougherty, Lehrkind, Lippard, Murray, Newell, Reed, Tyler, Watson, Welcome, White, Zuck, Mr. Speaker. Total 20.

Senate Amendments to House Bill No. 22 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 89.

Noes: Lippard and Tonn. Total 2.

Absent and not voting: Cannon, Clifford, Hageman, Newell, Oliver, Parker of Cascade, Tyler, Watson, Welcome, Zuck, Loughran. Total 11.

CONSIDERATION OF GENERAL ORDERS.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Friedl in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bill No. 22 be concurred in;

That consideration of House Bills Nos. 102 and 111 be passed for the day;

That House Bills Nos. 119, 126, 151, 157, 158, and 159 do pass.

FRIEDL, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 207, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chariman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Bill No. 257, respectfully report as follows: That House Bill No. 257 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 10, respectfully report as follows: That House Joint Memorial No. 10 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 11, respectfully report as follows: That Senate Joint Memorial No. 11 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Bill No. 256, respectfully report as follows: That House Bill No. 256 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Agriculture, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do pass.

PHELAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Agriculture, having had under consideration House Bill No. 330, respectfully report as follows: That House Bill No. 330 do pass.

PHELAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Bill No. 258, respectfully report as follows: That House Bill No. 258 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 287, respectfully report as follows: That House Bill No. 287 do pass.

RICE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

With no slightest desire to encroach upon the prerogatives of your Honorable Body, I desire to call your attention to a matter that has impressed itself upon me in connection with consideration of measures that have come to me for consideration after final action by both Houses of the Assembly.

In reading these Bills it becomes apparent that the vast majority of them are so framed as to take effect "upon their passage and approval." This, it seems to me, while not a violation of the letter of the statute, goes contrariwise to the spirit of the law as expressed in Section 90, Revised Codes of Montana of 1935, which says:

"Every statute, unless a different time is prescribed therein, takes effect on the first day of July of the year of its passage and approval."

Originally the statutes prescribed that there should be a lapse of only twenty days between approval and the date of effectiveness of a bill, but in 1921 the law was amended to its present provision and thus has stood for twenty years.

The reason for this time lapse must readily be apparent to all of you. Our session laws cannot be published by the printers before midsummer,

and it is therefore virtually impossible for the attorneys, who of all persons are supposed to be acquainted with the law, both ancient and recent, to acquaint themselves with the changes that have been decreed in many of the statutes existing prior to the meeting of the latest session of the Assembly. This takes no account of the average citizen, who is schooled in the maxim that ignorance is no excuse before the law.

To be sure there are cases of emergency in which it is wise and proper for the Assembly to provide for instant effect of a measure, but in the case of most of our legislation there seems no adequate reason for making it take effect immediately. I believe it to be a wise provision that a period of approximately four months should elapse, in order that the people and the attorneys may have some opportunity to acquaint themselves with legislation affecting their property and perhaps their well being.

This message is addressed to you not in a spirit of faultfinding, but to present to you a side of the situation that may not have received your serious consideration. I would that every measure passed by this Assembly might take effect on July 1, save and except in instances where an emergency demands immediate effectiveness for a measure. This should not apply to the repeal of the so-called "Hitler Bill."

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on suspension of the rules, requests the House to return House Bill No. 115 to the Senate for further consideration.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, granted the request of the House for the return of Senate Bill No. 49, and the same is herewith returned.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker:

We, your Conference Committee, having had under consideration Senate Amendments to House Bill No. 76, respectfully recommend as follows:

That the Senate rescinds from its amendments to House Bill No. 76.

GUNDERSON,
JAMES,
MORROW,
For the House.

ROSS,
TOMAN,
MARTIN,
For the Senate.

The conference committee report on Senate Amendments to House Bill No. 76 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind,

Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Cannon, Clifford, Cummings, Gebhardt, Hageman, Lippard, Loughran, Newell, Parker of Cascade, Rasmussen, Scott, Tyler, Watson, Welcome, Winters, Zuck. Total 16.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 115 to the Senate be granted.

It was moved by Toole, duly seconded and carried, that Senate Bill No. 49, now being in the House, be re-referred to the Committee on New Counties and Divisions.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Rice in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following recommend:

That House Bill No. 160 be amended as follows:

Amend the title by striking out in the last line thereof the figures "1941" and inserting in lieu thereof the figures "1943";

And as amended, do pass;

That House Bill No. 161 do pass.

RICE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Lippard, duly seconded and carried, that a committee be appointed to escort the Governor, and Lieutenant Governor to the rostrum of the House for the Lincoln Day Memorial Program.

The Speaker appointed Members Armstrong, Byrne and McGreevey as such committee.

It was moved by Lippard, duly seconded and carried, that the House recess, subject to the Call of the Chair.

House resumed. Mr. Speaker in the Chair.

The House met in Joint Assembly with the Senate, for the presentation of Lincoln Day Memorial Program. After the program, Governor Sam C. Ford, Lieutenant Governor E. T. Eaton and Speaker E. J. Stromnes were adopted into the Blackfoot Indian Tribe, in the Chamber of the House, in a colorful ceremony. The Indians taking part were Chief Bull, Chief Wades in the Water, Chief Rides at the Door, Chief Adam White Man, Chief Wish

Wolf River, Chief Iron Eyes and Mrs. Under Owl. The Indian names were given as follows:

To Governor Ford the tribe gave the name of Chief Lame Bull, the name of a famous head chief of the tribe who signed the Blackfoot-United States peace treaty October 7, 1865; to the lieutenant governor went the name of Chief Little Dog and to Speaker Stromnes, the name of Chief Screaming Eagle.

House resumed. Mr. Speaker in the chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 31, 212, 303, 307, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 249, respectfully report as follows: That House Bill No. 249.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 do pass.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Townships and Counties, having had under consideration House Bill No. 253, respectfully report as follows: That House Bill No. 253 do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Townships and Counties, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 do not pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Labor, having had under consideration House Bill No. 192, respectfully report as follows: That House Bill No. 192 do not pass.

MURRAY, Chairman.

Report adopted.

Mr. Speaker:

We, your Majority Committee on Labor, having had under consideration

House Bill No. 234, respectfully report as follows: That House Bill No. 234 do not pass.

HAMMOND,
McDANIEL,
CARLSON,
ARONSON,
POTTER.

Mr. Speaker:

We, your Minority Committee on Labor, having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 do pass.

MURRAY,
HELDING,
BEAZLEY,
PARKER of Cascade.

It was moved by Murray, duly seconded and carried, that the report of the minority be adopted.

Mr. Speaker:

We, your Majority Committee on Labor, having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do pass.

MURRAY,
HELDING,
HARRISON,
HARRIGAN,
BEAZLEY,
PARKER of Cascade.

Mr. Speaker:

We, your Minority Committee on Labor, having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do not pass.

HAMMOND,
McDANIEL,
CARLSON,
ARONSON,
POTTER.

It was moved by McDaniel, duly seconded, that the report of the minority be adopted. On substitute motion, it was moved by Murray, duly seconded and carried, that the report of the majority be adopted.

Mr. Speaker:

We, your Committee on Public Safety, having had under consideration House Bill No. 197 respectfully report as follows: That House Bill No. 197 do not pass.

O'BRIEN, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That the enacting clause be stricken from House Bill No. 48;
That consideration of House Bill No. 164 be passed for the day;
That Substitute House Bill No. 168 do pass;
That House Bill No. 171 do pass;
That consideration of House Bill No. 179 be passed for the day;
That House Bill No. 199 do pass;
That House Bill No. 243 do pass.

SPIEGEL, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 133, 167, 180, 204, 146, and 221.

SAYLOR, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, refused to concur in the House amendments to S. B. No. 26 and requests the House to appoint a Conference Committee to act with a like committee from the Senate for the consideration of said amendments. The President of the Senate named the following committee from the Senate:

Plank, Weinschrott, Kalberg.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee on Senate amendments to H. B. No. 76, and the committee was discharged.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, referred the communication of the House relative to changing Joint Rule No. 23, to the Committee on Rules for consideration.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 58, by Toomey and Harken.

H. B. No. 91, by Forbregd.

H. B. No. 107, by Gebhardt, et al.

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 48, by Mahoney and Morrison.

S. B. No. 14, by D'Ewart.

S. B. No. 72, by Waldrop, et al.

MOTIONS AND RESOLUTIONS

It was moved by Mernin, duly seconded and carried, that the House reconsider its action in adopting an adverse committee report on House Bill No. 150.

On Substitute motion, it was moved by O'Connor, duly seconded and carried, that the motion by Mernin be laid on the table.

It was moved by Byrne, duly seconded and carried, that the request of the Hon. Senate be granted and that the Speaker appoint a conference committee on House Amendments to Senate Bill No. 26.

Whereupon the Speaker appointed Rasmussen, Harken and Miller as such conference committee.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

Senate Bill No. 48: Introduced by Mahoney and Morrison: A bill for an act entitled: "An act to provide for the reemployment of elected officers and employees of the State of Montana and any political subdivision thereof, who shall hereafter serve in the military forces of the United States, upon the completion of their period of training and service; to provide for 'acting' officers to serve during such absence of elected officers; and relating to procedure to be followed to secure such reemployment." Referred to Committee on Judiciary.

Senate Bill No. 72: Introduced by Waldrop, Balgord, McQuitty, Ruffcorn, Hammond, Woods (Judith Basin): A bill for an act entitled: "An act to amend Section 9430.2 of the Revised Codes of Montana, 1935, relating to when truck or automobile is exempt from attachment of execution." Referred to Committee on Judiciary.

Senate Bill No. 14: Introduced by D'Ewart: A bill for an act entitled: "An act to amend Section 2835 of the Revised Codes of Montana, 1935, as amended by Chapter 162 of the session laws of 1937, relating to workmen's compensation; providing for the state attorney general to be the legal adviser to the industrial accident board; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 220, 219, 157, 126, House Joint Memorial No. 7.

SAYLOR, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday, February 13th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-NINTH DAY

House of Representatives,
Helena, Montana,
February 13, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson and Welcome.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-eighth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 285, respectfully report as follows: That House Bill No. 285 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 225, respectfully report as follows: That House Bill No. 225 be amended by striking out in Section 1 thereof in Line 16 of Page 1 thereof the words "six months" and by inserting in lieu thereof the words "two years", and by striking out the words "six months" in Section 1, Page 2, Line 1 thereof, and inserting in lieu thereof the words "two years", and as so amended the same do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 284, respectfully report as follows: That House Bill No. 284 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 82, respectfully report as follows: That House Bill No. 82 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 255, respectfully report as follows: That House Bill No. 255 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 349, respectfully report as follows: That House Bill No. 349 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration Substitute House Bill No. 87, respectfully report as follows: That Substitute House Bill No. 87 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Mines and Mining, having had under consid-

eration House Bill No. 178, respectfully report as follows: That House Bill No. 178 do pass.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Affairs of Cities, having had under consideration House Bill No. 278, respectfully report as follows: That House Bill No. 278 be printed and placed on general orders.

HESS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 33, 38, 39, 44, 84, 93, 99.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 99 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 44 introduced by me and find the same to be correct.

LEHRKIND.

I have examined House Bill No. 93 introduced by me and find the same to be correct.

NEWELL.

I have examined House Bill No. 84 introduced by me and find the same to be correct.

WILLIAMS.

I have examined House Bill No. 39 introduced by me and find the same to be correct.

LEHRKIND.

I have examined House Bill No. 38 introduced by me and find the same to be correct.

LEHRKIND.

I have examined House Bill No. 33 introduced by me and find the same to be correct.

PETERSEN.

The Speaker signed the following in open session: House Bills Nos. 33, 38, 39, 44, 84, 93, 99.

MOTIONS AND RESOLUTIONS

It was moved by O'Brien, duly seconded, that House Bill No. 178 be recalled from the Committee on Printing and re-referred to the Committee on Mines and Mining.

Spiegel of Silver Bow, having talked once on the foregoing motion, rose to speak again and the Speaker ruled he was out of order. Whereupon Spiegel appealed from the decision of the Chair and asked to have a roll call, to be entered in the Journal, which request was granted.

Byrne in the Chair.

Whereupon the Chair's decision was upheld by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Hageman, Harrison, Holding, Horrigan, James, Kemmis, Kirscher, Laubach, Lehrkind, Lippard, Loughran, Lynch, Martin of Fergus, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 71.

Noes: Armstrong, Clifford, Dahlquist, Gunderson, Harken, Hazelbaker, LaBonte, Lowe, McGreevey, McMichael, Martin of Madison, Mernin, Miller, Murray, Parker of Flathead, Parker of Cascade, Phelan, Spiegel. Total 18.

Absent and not voting: Allen, Banka, Cannon, Castles, Fewkes, Freshman, Hammond, Hess, Hunter, McDaniel, Watson and Welcome. Total 12.

Not voting: McKenna. Total 1.

Mr. Speaker in the Chair.

Whereupon the motion of O'Brien that House Bill No. 178 be recalled from the Committee on Printing and re-referred to the Committee on Mines and Mining carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 216, 152, and House Joint Memorial No. 10, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Water Conservation and Flood Control, having had under consideration House Bill No. 267, respectfully report: Amend by striking out in Line 16, Page 40, the words and figures "Section 41" and inserting in lieu thereof the word and figure "Section 42".

And by adding a new Section 41 to read as follows: "Section 41. Nothing herein contained shall repeal, amend, or modify any existing acts or statutes pertaining to the appropriation or use of water except as herein otherwise expressly provided, and nothing herein contained shall be deemed to interfere with any vested rights to the use of water."

And, as amended, do pass.

AHERN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 do not pass, but that Substitute House Bill No. 64, introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend Section 1741 of the Revised Codes of Montana, 1935, by adding new sub-sections to be designated as Sections 1741.13; 1741.14; 1741.15; 1741.16; 1741.17; 1741.18; 1741.19 and 1741.20; creating a Montana highway patrolmen's pension fund; and providing for retirement annuities, disability pensions, widows' and orphans' pensions to be paid members or survivors of members of the Montana highway patrol of the state of Montana; creation of patrolmen reserves; and providing for an appropriation to establish the pension fund herein created; and amending Section 1741.5 of the Revised Codes of Montana, 1935, as amended by Chapter 182 of the Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, relating to qualifications of patrolmen; and repealing all acts and parts of acts in conflict herewith." be referred to Committee on Appropriations.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 do not pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 8, respectfully report as follows: That House Joint Memorial No. 8 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 11, respectfully report as follows: That House Joint Memorial No. 11 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 9, respectfully report as follows: That House Joint Memorial No. 9 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Bill No. 237, respectfully report as follows: That House Bill No. 237 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under considera-

tion Senate Joint Memorial No. 10, respectfully report as follows: That Senate Joint Memorial No. 10 be concurred in.

STEVENS, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 55 was passed by the following vote:

Ayes: Ahern, Anderson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Clifford, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Forbregd, Friedl, Gebhardt, Gunderson, Hammond, Harken, Hazelbaker, Holding, Hess, James, LaBonte, Laubach, Lehrkind, Lippard, Lowe, Lynch, McGreevey, McKenna, McMichael, Mernin, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Rasmussen, Reed, Scott, Stevens, Tonn, Toole, Tyler, Vanek, Wilson, Mr. Speaker. Total 60.

Noes: Anson, Carlson, Curran, Esp, Fewkes, Flook, Goodwin, Hageman, Horrigan, Hunter, Kemmis, Loughran, Martin of Fergus, Miller, O'Brien, Oliver, Potter, Roehl, Saylor, Scofield, Spiegel, Toomey, White, Winters. Total 24.

Absent and not voting: Allen, Antrim, Burke, Castles, Cole, Freshman, Green, Harrison, Kirscher, McDaniel, Martin of Madison, Parker of Cascade, Rice, Simpson, Watson, Welcome, Williams, Zuck. Total 18.

House Bill No. 126 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Armstrong, Aronson, Ballard, Beck, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cummings, Curran, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Gebhardt, Hageman, Harken, Harrison, Hazelbaker, Horrigan, Hunter, James, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McMichael, Martin of Madison, Miller, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Potter, Rice, Roehl, Scofield, Stevens, Toole, Toomey, Tyler, White, Wilson, Winters, Mr. Speaker. Total 57.

Noes: Anderson, Banka, Beazley, Cannon, Dahlquist, Davey, Forbregd, Friedl, Goodwin, Gunderson, Holding, Hess, Kemmis, Lippard, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nash, Nelson, Petersen, Phelan, Saylor, Spiegel, Tonn, Vanek. Total 27.

Absent and not voting: Antrim, Burke, Cole, Freshman, Green, Kirscher, Laubach, McDaniel, Morrow, Parker of Cascade, Rasmussen, Reed, Scott, Simpson, Watson, Welcome, Williams, Zuck. Total 18.

House Bill No. 133 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubaugh, Loughran, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toomey, Vanek, White, Wilson, Winters. Total 78.

Noes: Curran, Eggenberger, Lowe, Miller, O'Brien. Total 5.

Absent and not voting: Antrim, Burke, Freshman, Green, Hageman, Kirscher, Lehrkind, Lippard, McDaniel, Parker of Cascade, Rice, Simpson, Toole, Tyler, Watson, Welcome, Williams, Zuck, Mr. Speaker. Total 19.

House Bill No. 146 was passed by the following vote:

Ayes: Ahern, Anderson, Ballard, Beazley, Beck, Bjorneby, Byrne, Cannon, Carlson, Clifford, Cummings, Curran, Dillavou, Dougherty, Freshman, Gebhardt, Goodwin, Hammond, Harken, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Lowe, McGreevey, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Rasmussen, Roehl, Saylor, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek. Total 52.

Noes: Aronson, Banka, Blenkner, Burke, Castles, Cole, Dahlquist, Eggenberger, Esp, Fewkes, Flook, Forbregd, Green, Gunderson, Hageman, Lippard, Lynch, McKenna, Miller, Oliver, Petersen, Potter, Reed, Rice, Scofield, Scott, Simpson, Tonn, White, Wilson, Winters. Total 31.

Absent and not voting: Allen, Anson, Antrim, Armstrong, Davey, Friedl, Harrison, Kirscher, Loughran, McDaniel, McMichael, O'Connor, Watson, Welcome, Williams, Zuck, Mr. Speaker. Total 17.

Not voting: Busch and Holding. Total 2.

House Bill No. 157 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, McKenna. Total 86.

Noes: Gunderson. Total 1.

Absent and not voting: Antrim, Armstrong, Banka, Burke, Cole, Lippard, McDaniel, O'Brien, Reed, Watson, Welcome, Williams, Zuck, Mr. Speaker. Total 14.

Not voting: Petersen. Total 1.

House Bill No. 167 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Carlson, Castles, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Toole, Toomey, Vanek, White, Wilson, Winters. Total 78.

Noes: Clifford, Hageman, McGreevey, Mernin, Murray, Spiegel, Tyler. Total 7.

Absent and not voting: Anson, Antrim, Armstrong, Byrne, Cole, Dahlquist, Hammond, McDaniel, O'Brien, Rasmussen, Reed, Watson, Welcome, Williams, Zuck, Mr. Speaker. Total 16. Pass: Tonn.

House Bill No. 180 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Byrne, Castles, Cummings, Curran, Davey, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Friedl, Gebhardt, Green, Gunderson, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Newell, O'Connor, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, Mr. Speaker. Total 72.

Noes: Blenkner, Busch, Cole, Eggenberger, Freshman, Goodwin, Hageman, Kemmis, Loughran, Lowe, Nelson, O'Brien. Total 12.

Absent and not voting: Antrim, Armstrong, Burke, Cannon, Carlson, Clifford, Dahlquist, Flook, Hammond, James, McDaniel, Parker of Wibaux, Phelan, Rasmussen, Watson, Welcome, Williams, Zuck. Total 18.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 119, 159, 151, 158, 199.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 11:50 A. M. House Bills Nos. 33, 38, 39, 44, 84, 93, 99.

COLE, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:35 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on State Lands, having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 be referred to the Committee on Federal Relations.

BANKA, Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 do not pass.

FRESHMAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 72 do not pass.

FRESHMAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Apportionment and Representation, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 49, respectfully report as follows: That Senate Bill No. 49 be concurred in.

VANEK, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

I am directed by the Senate to inform your Honorable Body that the Senate Committee on Rules this day, having had under consideration a House amendment to Joint Rule No. 11, as follows:

"By inserting in Line 8 of said rule, immediately following the word "inaccuracies", in lieu of the semi-colon a comma, and the following words: "provided however, that the date of final enrollment may be written on the bill with pen and ink."

Recommend that this amendment be not adopted by the Senate, but offer the following amendment:

"Amend Joint Rule 11 of the Joint Rules of the Senate and House of Representatives by inserting in Line 8 of said rule, immediately following the word "inaccuracies", in lieu of the semi-colon a comma, and the following words: "provided however, that the date of final enrollment may be stamped on the bill."

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker referred the foregoing message from the Senate to the Committee on Rules, Joint Rules and Order of Business.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the House amendments to Substitute for Senate Bill No. 18.

I am directed by the Senate to inform your Honorable Body that the Senate Committee on Rules this day, having had under consideration House amendment to Joint Rule 23, as follows:

"That Joint Rule No. 23 be amended by striking out the word "forty-seventh" and inserting in lieu thereof the word "fiftieth".
recommended that the above amendment be not adopted; report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 248, respectfully report as follows: That House Bill No. 248 do pass.

CANNON, Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 250, respectfully report as follows: That House Bill No. 250.

CANNON, Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 do not pass.

CANNON, Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 316, respectfully report as follows: That House Bill No. 316 do not pass.

CANNON, Vice-Chairman.

It was moved by Curran, duly seconded, that the report of the Committee on Fish and Game be adopted.

On Substitute motion, it was moved by Martin of Fergus, duly seconded and carried, that House Bill No. 316 be printed and placed on General Orders.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 do not pass.

CANNON, Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 272, respectfully report as follows: That House Bill No. 272 be amended as follows: By striking the words and figures Fifty Dollars (\$50.00) in Line 18 and inserting in lieu thereof the words and figures "Twenty-five Dollars (\$25.00)" and by striking out in line 30 the words "on the" and inserting in lieu thereof the words "not later than" and as so amended, do pass.

CANNON, Vice-Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House reconsider its action taken on House Bill No. 63 yesterday in adopting an adverse committee report.

It was moved by Byrne, duly seconded and carried, that House Bill No. 63 be re-referred to the Committee on Social Security.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 204 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rice, Roehl, Saylor, Scott, Scofield, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Winters, Zuck, Mr. Speaker. Total 80.

Noes: Banka, Horrigan, Newell, Simpson, Wilson. Total 5.

Absent and not voting: Allen, Clifford, Cole, Dougherty, Harken, Harrison, Kirscher, Lehrkind, Lippard, Lynch, O'Connor, Petersen, Rasmussen, Reed, Watson, Welcome, White. Total 17.

House Bill No. 219 was passed by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, White, Wilson, Winters, Zuck, Mr. Speaker. Total 90.

Noes: None.

Absent and not voting: Ahern, Allen, Burke, Carlson, Clifford, Kirscher, O'Connor, Petersen, Toole, Watson, Welcome, Williams. Total 12.

House Bill No. 220 was passed by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Ahern, Allen, Burke, Cannon, Carlson, Cole, Eggenberger, Horrigan, Lynch, McMichael, Morrow, O'Connor, Parker of Cascade, Saylor, Watson, Welcome. Total 16.

House Bill No. 221 was passed by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Ahern, Allen, Burke, Cannon, Friedl, Harrison, Horrigan, Lippard, Lynch, McMichael, Morrow, Murray, O'Connor, Watson, Welcome. Total 15.

House Joint Memorial No. 7 was passed by the following vote:

Ayes: Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 90.

Noes: None.

Absent and not voting: Ahern, Anson, Burke, Cannon, Fewkes, Lippard, McMichael, Morrow, O'Connor, Watson, Welcome, White. Total 12.

House Bill 119 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Lehrkind, Loughran, Lowe, McDaniel, McKenna, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 83.

Noes: Clifford, Harken, McGreevey, Mernin, Murray, Spiegel. Total 6.

Absent and not voting: Ahern, Burke, Cannon, Kirscher, Laubach, Lippard, Lynch, McMichael, Morrow, O'Connor, Oliver, Watson, Welcome. Total 13.

House Bill No. 159 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole,

Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Ahern, Antrim, Armstrong, Burke, Cannon, Freshman, Gunderson, Laubach, Lippard, McMichael, Morrow, Nash, O'Connor, Watson, Welcome. Total 15.

House Bill No. 151 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Carlson, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, Kemmis, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Zuck, Mr. Speaker. Total 78.

Noes: Gunderson, Holding, Morrow, Nash, Parker of Cascade, Petersen, Tyler. Total 7.

Absent and not voting: Ahern, Aronson, Burke, Byrne, Cannon, Dahlquist, Eggenberger, Friedl, James, Kirscher, Laubach, Lippard, McMichael, O'Connor, Watson, Welcome, Winters. Total 17.

House Bill No. 158 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Carlson, Clifford, Cole, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, White, Williams, Wilson, Zuck, Mr. Speaker. Total 81.

Noes: Banka, Dahlquist, Gunderson, Hess, Martin of Fergus. Total 5.

Absent and not voting: Ahern, Aronson, Byrne, Cannon, Castles, Cummings, Friedl, Goodwin, Laubach, Lippard, McMichael, Parker of Flathead, Vanek, Watson, Welcome, Winters. Total 16.

House Bill No. 199 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Ballard, Beazley, Beck, Bjerneby, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Lehrkind, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madi-

son, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Mr. Speaker. Total 78.

Noes: Blenkner, Martin of Fergus. Total 2.

Absent and not voting: Ahern, Antrim, Armstrong, Aronson, Banka, Cole, Dahlquist, Harrison, Kirscher, LaBonte, Laubach, Lippard, Loughran, McMichael, Morrow, Parker of Flathead, Rice, Watson, Welcome, Williams, Winters, Zuck. Total 22.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 22, 76, 58.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 22 introduced by me and find the same to be correct.

HELDING.

I have examined House Bill No. 76 introduced by me and find the same to be correct.

JAMES.

I have examined House Bill No. 58 introduced by me and find the same to be correct.

TOOMEY.

The Speaker signed the following in open session: House Bills Nos. 22, 76, and 58.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 174, 257, 229, 258, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: : House Bills Nos. 160, 161, 171, 243.

SAYLOR, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Lehrkind in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 102 do pass;

That House Bill No. 111 be amended as follows:

Amend Section 1, line 7 after the letters "son" and before the word "direct" by inserting the word "and";
and that the same do pass as amended;

That House Bill No. 112 be amended as follows:

Amend by striking all of Section 10 on page four of the printed bill and renumbering the subsequent sections accordingly;
and as amended, that the same do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: Substitute House Bills Nos. 10 and 91.

COLE, Chairman

Report adopted.

I have examined House Bill No. 91 introduced by me and find the same to be correct.

FORBREGD, Chairman.

I have examined House Bill No. 10 introduced by me and find the same to be correct.

ARMSTRONG.

The Speaker signed the following bills in open session: Substitute House Bill No. 10 and House Bill No. 91.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Friday, February 14th, 1941, at 10:30 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTIETH DAY

House of Representatives,
Helena, Montana,
February 14, 1941.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Thirty-ninth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: House Bill No. 107.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 107 introduced by me and find the same to be correct.

GEBHARDT.

The Speaker signed House Bill No. 107 in Open Session.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 235, 253, 330, 327, 356, 249, 287, and 288, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 be amended in Section 51, Page 29 thereof, Lines 2 and 3, by striking out the words and figures "five per cent (5%)" and inserting in lieu thereof the words and figure "five (5) points", and by striking out the words and figure "ten per cent (10%)" and inserting in lieu thereof the words and figure "ten (10) points", and as so amended, the same do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Corporations other than Municipal, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do pass.

COLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Corporations other than Municipal, having had under consideration House Bill No. 309, respectfully report as follows: That House Bill No. 309 do pass.

COLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 318, respectfully report as follows: That House Bill No. 318 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 196, respectfully report as follows: That House Bill No. 196 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 206, respectfully report as follows: That House Bill No. 206 be amended as follows: By striking in lines 28, 29 and 30, where the words and figures appear, the words and figures "ten thousand dollars (\$10,000.00)" and inserting in lieu thereof, the words and figures "six thousand dollars (\$6,000.00)", and that as amended, said House Bill 206 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 273, respectfully report as follows: That House Bill No. 273 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 be amended as follows:

Strike out after the word "signed" in line 15, page one (1), the words "agreement with a bona fide union of workers" and insert in lieu thereof the words "collective bargaining agreement".

Amend further in line 22 page (1) by striking out the word "and" after the word "board" and in lieu thereof insert a "comma" and after the word "room" in line 23, page one (1) insert a "comma" and following the comma and before the word "supplied" in line 23, page one (1) insert the words "and other incidentals".

Amend Section 3085, page 2, line 17, after the word "misdemeanor" by striking out the words "and upon conviction thereof he shall be punished by a fine of not less than twenty-five dollars (\$25.00), nor more than one hundred dollars (\$100.00) and each offense shall be a separate and distinct violation of this act."

Amend Section 3085 by striking out in line 2, page 3, after the word "labor" the following words, "or to limit the right of any wage claimant to sue directly or through an assignee for any wages or penalty due him under the provisions of this act."

Amend Section 3086 by striking out in line 11, page 3, after the comma following the word "employee" the following words, "within 24 hours" and insert in lieu thereof the words "within seven (7) days".

And as amended, do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 226, respectfully report as follows: That House Bill No. 226 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 296, respectfully report as follows: That House Bill No. 296 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, a majority of your Committee on Judiciary, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 do not pass.

TOOLE,
BURKE,
AHERN,
REED,
ALLEN,
TOOMEY,
BLENKNER,
LIPPARD,
FRESHMAN.

Mr. Speaker:

We, a minority of your Committee on Judiciary, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 do pass.

MORROW,
DILLAVOU,
HARKEN,
BJORNEBY,
RICE.

It was moved by Toole, duly seconded, that the report of the majority be adopted.

On substitute motion it was moved by Morrow, duly seconded, that the report of the minority be adopted.

As a substitute motion for all motions pending, it was moved by Burke, duly seconded and carried, that the motion by Morrow on adopting the minority report of the Committee on Judiciary on House Bill No. 78 be laid on the table.

Mr. Speaker:

We, your Committee on Railroads and Railroad Transportation, having had under consideration House Bill No. 75, respectfully report as follows: That House Bill No. 75 do not pass.

BALLARD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 11:10 A. M.: House Bills Nos. 10, 22, 58, 76, 91, and 107.

COLE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have today approved House Bill No. 103, "An act to repeal Sections 1181, 1182 and 1183, Revised Codes of Montana, 1935, relating to school library funds."

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that H. B. No. 95, by Williams, was this day read third time and concurred in, title and history agreed to, and bill is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

H. B. No. 68, by Morrow.

H. B. No. 155, by Allen.

I am directed by the Senate to inform your Honorable Body that H. B. No. 108, by Cummings and Toole, was this day read third time and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in the Senate amendments.

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 33, by Haynes.

Sub. S. B. No. 11, by Sanitary Affairs Committee.

S. B. No. 59, by Burke, et al.

S. B. No. 63, by Dahl.

S. B. No. 64, by Dahl.

S. B. No. 70, by D'Ewart.

S. B. No. 84, by Lott.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Cannon, duly seconded, that House Rule No. 28 be suspended for the specific purpose of further reconsidering the action of the House on Substitute House Bill No. 69. The foregoing motion was referred to the Committee on Rules, Joint Rules and Order of Business by the Speaker.

It was moved by Stevens, duly seconded, that the House reconsider its action taken yesterday on House Bill No. 102.

A roll call, to be entered in the Journal, was requested by the required number and motion by Stevens lost by the following vote:

Ayes: Beazley, Beck, Bjerneby, Clifford, Cummings, Curran, Dahlquist, Dougherty, Esp, Gunderson, Harken, Hess, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nelson, O'Brien, Oliver, Parker of Cascade, Petersen, Phelan, Rasmussen, Roehl, Spiegel, Stevens, Vanek. Total 28.

Noes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Byrne, Carlson, Castles, Davey, Eggenberger, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Green, Hageman, Hammond, Harrison, Hazelbaker, Helding, Kemmis, Kirscher, LeBonte, Laubach, Lehrkind, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Morrow, Nash, Newell, O'Connor, Parker of Wibaux, Parker of Flathead, Potter, Reed, Rice, Scofield, Scott, Simpson, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck, Busch, Mr. Speaker. Total 57.

Absent and not voting: Ahern, Banka, Blenkner, Burke, Cannon, Cole, Dillavou, Freshman, Goodwin, Horrigan, Hunter, James, Lippard, Saylor, Tonn, Watson, Welcome. Total 17.

The Speaker signed Substitute Senate Bill No. 18 in Open Session.

It was moved by Kirscher, duly seconded and carried, that House Bill No. 223 be taken from the Committee on Highways and Highway Transportation and referred to the Committee on Judiciary.

It was moved by Morrow, duly seconded and carried, that consideration of House Bill No. 229 be passed for the day.

It was moved by Dillavou, duly seconded and carried, that the Honorable Senate be requested to return to the House, for correction, House Bill No. 30.

INTRODUCTION OF BILLS

House Bill No. 365, introduced, by unanimous consent of the House, without notice, by the Committee on Appropriations, entitled: A bill for an act entitled: "An act to appropriate money for the payment of per diem to the officers and attaches and for incidental expenses of the Twenty-seventh Legislative Assembly of the State of Montana." Was read first and second times at length and referred to the Committee on Appropriations.

Committee on Appropriations was excused to consider House Bill No. 365.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 365, respectfully report as follows: That House Bill No. 365 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: Substitute House Bill No. 168.

SAYLOR, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 84: Introduced by Lott: A bill for an act entitled: "An act to amend Section 3338 of the Revised Codes of Montana, 1935, relating

to the publication of description of estrays sold—disposition of proceeds remaining in the state treasury.” Referred to the Committee on Livestock and Public Ranges.

Senate Bill No. 33: Introduced by Haynes: A bill for an act entitled: “An act to amend Section 10412 of the Revised Codes of Montana, 1935, relating to the appointment of guardians of insane or other incompetent persons; providing where such petition shall be filed, the notice to be given of the hearing thereof, the presence of the supposed insane or incompetent person at said hearing, and repealing all acts and parts of acts in conflict herewith.” Referred to the Committee on Judiciary.

Substitute for Senate Bill No. 11: Introduced by Committee on Sanitary Affairs: A bill for an act entitled: “An act licensing commercial cold storage plants and refrigerated locker plants, and providing the fees therefor; providing for the inspection of said plants by the state board of health and granting the state board of health power to make regulations under specified conditions, and providing for appeals therefrom; providing for loss; providing for storage liens and enforcement of liens, and providing penalties for the violation of this act.” Referred to the Committee on Public Health and Sanitary Affairs.

Senate Bill No. 63: Introduced by Dahl: A bill for an act entitled: “An act to amend Section 1019.5 and Section 1019.6 of the Revised Codes of Montana of 1935, relating to the preparation and adoption of preliminary school district budgets and the giving of notice of meeting to prepare and adopt such preliminary budgets and repealing all acts and parts of acts in conflict herewith.” Referred to the Committee on Education.

Senate Bill No. 64: Introduced by Dahl: A bill for an act entitled: “An act to amend Section 1263.4 and 1263.5 of the Revised Codes of Montana, 1935, as amended by Chapter 166 of the Laws of the Twenty-sixth Legislative Assembly of 1939, relating to the budget meeting of boards of high school trustees and the giving of notice of such meetings.” Referred to the Committee on Education.

Senate Bill No. 70: Introduced by D'Ewart: A bill for an act entitled: “An act defining ‘maternity hospitals’ and providing for the licensing, inspection, and regulation of maternity hospitals by the state board of health, and providing a penalty for the violation of the provisions of this act, and repealing all acts and parts of acts in conflict with this act.” Referred to the Committee on Public Health and Sanitary Affairs.

Senate Bill No. 59: Introduced by Burke, Plank, Campbell, Drumheller and Mahoney: A bill for an act entitled: “An act authorizing and empowering the governor of the State of Montana, with the aid of an advisory committee, to make a comprehensive and constructive study and investigation of the finances, business, affairs, and policies of the State of Montana, and of its several offices and of all of its bureaus, boards, commissions, departments and institutions for the purpose of disclosing whether there exist any abuses, inefficiency, duplication of work or services, or undue, unnecessary, extravagant or wasteful expenditures of state or public money or funds, and for the purpose of disclosing whether any of such offices, bureaus, boards, commissions, departments or institutions may be abolished, reorganized or consolidated for the purpose of doing away with duplication of work or services, reducing expenditures of state and public money or funds, and generally simplifying the operations of the state government, its institutions and departments, and providing some method or system for the conduct of its finances, business, affairs, and policies in a uniform, orderly, businesslike and economical manner; authorizing the governor to employ experts to make such investigation; providing for reports to be made to the governor during the progress of such investigation and after the same is fully completed; authorizing the governor, with the advice of the advisory committee, to adopt and put into effect any recommendation or recommendations contained in any report, when approved by him, and

when no legislative action is necessary therefor; providing for a report by the governor, after the completion of such investigation, to the twenty-eighth legislative assembly." Referred to the Committee on State Boards and Offices.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length:

House Bill No. 160 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck. Mr. Speaker. Total 80.

Absent and not voting: Allen, Armstrong, Blenkner, Burke, Cannon, Dahlquist, Dougherty, Goodwin, Horrigan, James, Kemmis, Loughran, Mernin, Murray, O'Connor, Parker of Flathead, Parker of Cascade, Potter, Tonn, Vanek, Watson, Welcome. Total 22.

House Bill No. 161 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Petersen, Phelan, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 83.

Absent and not voting: Armstrong, Blenkner, Burke, Cannon, Dahlquist, Dougherty, Goodwin, Horrigan, James, Kemmis, Lowe, Parker of Flathead, Parker of Cascade, Potter, Rasmussen, Tonn, Vanek, Watson, Welcome. Total 19.

House Bill No. 171 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Petersen, Phelan, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 85.

Absent and not voting: Anson, Blenkner, Dougherty, Goodwin, Horrigan, James, Lowe, Morrow, O'Connor, Parker of Flathead, Parker of Cascade, Potter, Rasmussen, Tonn, Vanek, Watson, Welcome. Total 17.

House Bill No. 243 as passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Murray, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, White, Winters, Zuck. Total 76.

Noes: Horrigan, Kemmis, Martin of Fergus, Miller, Williams, Wilson, Mr. Speaker. Total 7.

Absent and not voting: Blenkner, Cole, Dillavou, Dougherty, Gebhardt, Goodwin, Hammond, James, Lippard, Lowe, Morrow, O'Connor, Oliver, Parker of Cascade, Potter, Tonn, Vanek, Watson, Welcome. Total 19.

House Bill No. 168 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kemmis, Kirscher, Laubach, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Zuck, Mr. Speaker. Total 85.

Absent and not voting: Blenkner, Cannon, Cole, Dougherty, Goodwin, Horrigan, James, LaBonte, Lowe, Morrow, O'Connor, Parker of Cascade, Rasmussen, Tonn, Watson, Welcome, Winters. Total 17.

It was moved by Byrne, duly seconded and carried, that the House pass consideration of General Orders until the afternoon session.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 102 and 111.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Health and Sanitary Affairs, having had

under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 do pass.

LYNCH, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 200, respectfully report as follows: That House Bill No. 200 do not pass.

LYNCH, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 do pass.

LYNCH, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 37, respectfully report as follows: That House Bill No. 37 do not pass, but that Substitute House Bill No. 37

A bill for an act entitled: "An act relating to the floating indebtedness of county poor funds outstanding at the close of business on June 30, 1941; providing for levying special taxes to pay the same; and prohibiting the making of grants in aid to counties under the provisions of Part II of Chapter 82, session laws 1937, as amended, when such such counties were on June 30, 1941, owing any amount or amounts to the state department of public welfare on account of reimbursements, if such counties fail to take advantage of the provisions of this act."

do pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 276, respectfully report as follows: That House Bill No. 276 do not pass.

LOWE, Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 do not pass.

LOWE, Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 46, respectfully report as follows: That Senate Bill No. 46 be concurred in.

LOWE, Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under con-

sideration House Bill No. 361, respectfully report as follows: That House Bill No. 361 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Employment, having had under consideration Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be concurred in.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Conservation of Resources, having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 do pass.

TONN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 do not pass, but that Substitute House Bill No. 139

A bill for an act entitled: "An act relating to sites and buildings suitable for armory purposes and the leasing thereof by the State of Montana and by counties and other political subdivisions and municipalities." do pass.

TOOLE, Chairman

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142 do not pass, and that Substitute House Bill No. 142

A bill for an act entitled: "An act to amend Section 1 of Chapter 161 of the laws of 1939 relating to the Montana armory board, increasing the membership of the Montana armory board to seven members, and amending Section 3 thereof providing that four members of said board shall constitute a quorum at all meetings and amending Section 4 thereof, to designate to whom leases shall be made and by whom and for what purpose." do pass.

TOOLE, Chairman

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration Joint Rule No. 11 of Joint Rules of the Senate and House of Representatives, respectfully report as follows: That we concur in Senate Substitute Amendment to the rule as follows:

"By inserting in line 8 of said rule, immediately following the word "inaccuracies" in lieu of the semi-colon a comma and the following words: "provided, however, that the date of final enrollment may be stamped on the bill."

CANNON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration House Rule No. 35, respectfully report as follows: That we amend rule No. 35 by adding a section 3 as follows:

"Section 3. No bill, resolution or memorial shall be introduced in the House after a previously introduced bill, resolution or memorial containing the same subject matter, or substantially the same subject matter, and in either case designed to accomplish the same purpose has been finally rejected by the House."

CANNON, Chairman.

It was moved by Byrne, duly seconded and carried, that action on the foregoing committee report be deferred for this legislative day.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 274, respectfully report as follows: That House Bill No. 274 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 60, respectfully report as follows: That Senate Bill No. 60 be concurred in

TOOLE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, granted the request of the House for the return of H. B. No. 30 for correction, and the bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker referred House Bill No. 30 to the Committee on Engrossing.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return H. B. No. 68 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Toomey, duly seconded and carried, that the request of the Honorable Senate be complied with.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting, said rules to be amended as follows: That the proponent of a motion may speak for five minutes in opening and five minutes in closing and all others for three minutes, except in case of committee bills requiring lengthy explanations by the Chairman or some member of the committee, and that there shall be no yielding of time.

Byrne in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 207 do pass;

That House Bill No. 87 do pass;

That House Bill No. 179 be amended as follows:

Amend Section 1, line 1, by inserting between the word "Montana" and the figures "1939" the following: "1935, as amended by Chapter 119, Laws of Montana,"

Amend Section 1, line 18 by striking out the word "and" and inserting after the word "If" in the same line the word "any"; and by striking out in line 29 the word "for" and inserting in lieu thereof the word "or" and further amend Section 1 by adding after line 32 the following: "After having once elected to be bound by one or the other of the compensation plans provided in this act, such employer shall be bound by such election, except as hereinafter provided, for said first fiscal year and each succeeding fiscal year, provided however, that such employer may, at any time, upon thirty days written notice to the insurer or the board, as the case may be, elect to be bound by a different compensation plan than the one by which he is then governed. Such election must be made in the manner provided for in reference to the first election of such employer under this act.";

and that House Bill No. 179 do pass as amended;

That the enacting clause be stricken from House Bill No. 117;

That House Bill No. 224 do pass;

That consideration of Senate Amendments to House Bills Nos. 40 and 43 be passed for the day;

That consideration of Substitute House Bill No. 1 be passed for the day;

That House Bill No. 172 do pass;

That Substitute House Bill No. 46 do pass;

BYRNE, Chairman.

It was moved by Byrne, duly seconded, that the Report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Murray, duly seconded, that House Bill No. 117 be segregated from the committee report.

A roll call, to be entered in the Journal, was requested by the required number and motion by Murray carried by the following vote:

Ayes: Antrim, Beazley, Bjorneby, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Friedl, Gebhardt, Gunderson, Harken, Holding, Hess, James, Laubach, Lehrkind, Lippard, Loughran, Lynch, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Phelan, Rasmussen, Reed, Rice, Saylor, Scott, Spiegel, Toole, Vanek, White, Williams, Winters, Zuck, Mr. Speaker. Total 52.

Noes: Anderson, Anson, Armstrong, Carlson, Cole, Esp, Flook, Forbregd, Green, Hageman, Hammond, Harrison, Hunter, Kemmis, LaBonte, Lowe, Martin of Madison, Newell, Oliver, Parker of Flathead, Potter, Roehl, Scofield, Simpson, Toomey, Tyler, Wilson. Total 27.

Absent and not voting: Ahern, Allen, Aronson, Ballard, Banka, Beck, Blenkner, Davey, Eggenberger, Fewkes, Freshman, Goodwin, Hazelbaker, Horrigan, Kirscher, McDaniel, Miller, Morrow, O'Connor, Stevens, Tonn, Watson, Welcome. Total 23.

Whereupon the Committee of the Whole report was adopted as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: House Bill No. 95.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 95 introduced by me and find the same to be correct.

WILLIAMS.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 300, 306, 365, 234, 256, 98, 278 and House Joint Memorials Nos. 8, 9, and 11, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 112.

SAYLOR, Chairman.

Report adopted.

The Speaker signed House Bill No. 95 in Open Session.

THIRD READING

The following having been read three several times, history and title agreed to, was disposed of as follows; all appropriation measures having been read at length:

House Bill No. 112 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Beazley, Beck, Bjorneby, Burke, Busch, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Fewkes, Gebhardt, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson Winters, Zuck, Mr. Speaker. Total 71.

Noes: Banka, Byrne, Dahlquist, Esp, Flook, Forbregd, Hageman, Lippard, Martin of Fergus, Miller, Saylor, Scofield, Tonn, Vanek. Total 14.

Absent and not voting: Armstrong, Aronson, Ballard, Blenkner, Davey, Dillavou, Dougherty, Eggenberger, Freshman, Friedl, Goodwin, Horrigan, Laubach, Morrow, Petersen, Watson, Welcome. Total 17.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Saturday, February 15th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNEN, Chief Clerk.

FORTY-FIRST DAY

House of Representatives,
Helena, Montana,
February 15, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Harken, Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Fortieth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 225, 237, 248, 250, 272, 305, 316, 340 and 349, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Aviation, having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 do pass.

BURKE, Chairman.

Report adopted.

Mr. Speaker:

We, your Majority Committee on Labor, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 do not pass.

HAMMOND,
HORRIGAN,
LOUGHRAN,
ARONSON,
POTTER,
HARRISON,
CARLSON
KIRSCHER,
McDANIEL,
CUMMINGS.

Mr. Speaker:

We, your Minority Committee on Labor, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 do pass.

MURRAY,
CLIFFORD,
PARKER of Cascade,
HELDING,
BEAZLEY.

It was moved by Hammond, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by Murray, duly seconded, that the report of the minority be adopted.

As a substitute motion for all pending motions, it was moved by Aronson, duly seconded and carried, that the substitute motion by Murray to adopt the minority committee report on House Bill No. 189 be laid on the table.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 30.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bill delivered to the Governor's office at 10:10 A. M.: House Bill No. 95.

COLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 14, respectfully report as follows: That House Joint Memorial No. 14 do not pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 268, respectfully report as follows: That House Bill No. 268 be amended by inserting on Page 19, Line 5, new Sections 15, 16 and 17 herewith, and amend the present Sections 15, 16 and 17 to be Sections 18, 19 and 20.

Section 15. The liability of any company under a motor vehicle liability policy, as defined in Section 1 hereof, or under any other policy insuring against liability for loss or damage on account of bodily injury or death, or for loss or damage resulting therefrom, or on account of damage to prop-

erty, shall become absolute whenever the loss or damage for which the insured is responsible occurs, and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or duty of the company to make payment on account of said loss or damage. No such contract or insurance shall be cancelled or annulled by any agreement between the company and the insured after the said insured has become responsible for such loss or damage, and any such cancelation or annulment shall be void.

Section 16. Upon the recovery of a final judgment against any person by any person, including executors or administrators, for any loss or damage specified in the preceding section, if the judgment debtor was at the accrual of the cause of action insured against liability thereof, the judgment creditor shall be entitled to have the insurance money applied to the satisfaction of the judgment.

Section 17. No motor vehicle or trailer except one owned by a person, firm or corporation for the operation of which security is required to be furnished under Chapter 184, Session Laws of 1931 shall be registered under Chapter 152 Political Code of the Revised Codes of Montana, 1935, unless the application therefor is accompanied by a certificate as defined in Section 1 hereof.

And as so amended that the same do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336 do not pass.

TOOLE, Chairman.

It was moved by Toole, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by Antrim, duly seconded and carried, that House Bill No. 336 be printed and placed on General Orders.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration House Bill No. 121, respectfully report as follows: That House Bill No. 121 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration House Bill No. 325, respectfully report as follows: That House Bill No. 325 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 81, respectfully report as follows: That House Bill No. 81 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 333, respectfully report as follows: That House Bill No. 333 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Education, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 do not pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Education, having had under consideration House Bill No. 210, respectfully report as follows: That House Bill No. 210 do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Education, having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Education, having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 do not pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 3, respectfully report as follows: That House Bill No. 3 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration

House Bill No. 15, respectfully report as follows: That House Bill No. 15 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 do not pass.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 do pass.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration House Bill No. 294, respectfully report as follows: That House Bill No. 294 do not pass.

BJORNEBY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. J. M. No. 5, by Ahern, et al.

H. B. No. 169, by Committee on Agriculture.

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and

history agreed to, and the same are herewith transmitted to the House for concurrence:

S. B. No. 58, by Nutt.

S. B. No. 79, by Ecton.

S. B. No. 87, by Baker (Dawson).

S. B. No. 89, by Baker (Dawson).

S. B. No. 90, by Hazelbaker, et al.

S. B. No. 99, by Committee on Oils and Leases.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Morrow, duly seconded and carried, that House Bill No. 229 be taken from General Orders and referred to the Committee on Appropriations.

It was moved by Holding, duly seconded that House Bill No. 337 be transferred from the Committee on Judiciary to the Committee on Rules, Joint Rules and Order of Business.

A point of order was raised by Cannon, that House Bill No. 337 was in violation of the rules in the respect that it had the same subject matter of a preceding bill which had been killed.

The Speaker referred the foregoing point of order and motion to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Toomey, duly seconded and carried, that the Special Committee operating under House Joint Resolution No. 1 be authorized to take five additional days to and including the 20th day of February, 1941, within which to make its report thereunder and that the Senate be requested to authorize its committee a like extension of time.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 89: Introduced by Baker of Dawson: A bill for an act entitled: "An act authorizing police courts of cities and towns to order persons to refrain from operating motor vehicles when such persons have been convicted of driving motor vehicles while intoxicated or driving motor vehicles in a reckless manner and to provide penalties for violations of such orders." Referred to the Committee on Judiciary.

Senate Bill No. 99: Introduced by the Committee on Oils and Leases: A bill for an act entitled: "An act to amend Section 1882.2 of the Revised Codes of Montana of 1935, relating to the area to be leased, limitations, term of leases and operating agreements on state lands." Referred to the Committee on Petroleum, Oil and Gas.

Senate Bill No. 90: Introduced by Hazelbaker, Pauline, Haynes, and Campbell: A bill for an act entitled: "An act to designate a certain portion of the state biological grounds on Yellow Bay, Flathead Lake, Lake County, Montana, as a scientific and recreational park and permitting the development thereof for public use." Committee on Development and Publicity.

Senate Bill No. 87: Introduced by Baker of Dawson: A bill for an act entitled: "An act to authorize counties, cities, towns and school districts

to employ fiscal agents to assist in refunding outstanding bonded indebtedness and validating certain contracts heretofore entered into in connection with such refunding." Referred to the Committee on Townships and Counties.

Senate Bill No. 58: Introduced by Nutt: A bill for an act entitled: "An act to amend Section 1999 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 130 of the laws of Montana, twenty-fifth session, 1937, relating to the classification of property for taxation." Referred to the Committee on Revenue and Taxation.

Senate Bill No. 79: Introduced by Ecton: A bill for an act entitled: "An act to amend Part 3 of Section 2295.10 of the Revised Codes of the State of Montana for 1935; exemptions, change of status of taxpayer." Referred to the Committee on Revenue and Taxation.

It was moved by Byrne, duly seconded and carried, that business under Third Reading be passed until the afternoon session.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 164 do pass;

That House Bill No. 174 be amended as follows:

Amend Section Two by striking out in lines 14 and 15 on page two, the words and figures "three hundred four thousand five hundred dollars.....\$304,500.00" and inserting in lieu thereof the words and figures "two hundred ninety-six thousand two hundred sixty dollars.....\$296,260.00", and also adding after the end of line 18 the following words and figures "For adjustment and restoration of wage decreases of 1933, not retroactive, for employees salaries in the physical plant, eight thousand two hundred forty dollars.....\$8,240.00."

Amend Section 3 by striking out in lines 14 and 15 on page six, the words and figures "three hundred four thousand five hundred dollars.....\$304,500.00" and inserting in lieu thereof the words and figures "two hundred ninety-six thousand two hundred sixty dollars.....\$296,260.00"

Also adding after the end of line 18 the following: "For adjustment and restoration of wage decreases of 1933, not retroactive, for employees salaries in the physical plant, eight thousand two hundred forty dollars.....\$8,240.00"

Amend Section 5 by striking out all of lines 5 and 6.
and that the same do pass as amended;

That Senate amendments to House Bill No. 108 be concurred in;

That Senate amendments to House Bill No. 40 be not concurred in and that a Conference Committee be appointed by the House and a like committee be requested from the Senate;

That Senate amendments to House Bill No. 43 be concurred in;

That Substitute House Bill No. 1 be amended as follows:

Amend Section 10 by striking the period after the word "highways" in line 20, and inserting a comma in lieu thereof and adding the following "provided, however, that if a person is otherwise mentally and physically fit he or she shall not be deprived of the right to obtain a license because of being deaf or mute or both deaf and mute."

Amend Section 22, line 6 by striking the words and figures "one dollar (\$1.00) and inserting in lieu thereof the words and figures "seventy-five cents (75c)";

and that the same do pass as amended;

That House Bill No. 117 do pass;

That House Bill No. 28 do pass;

That House Bill No. 201 do pass;

That House Bill No. 307 do pass;

That House Bill No. 365 do pass;

That House Bill No. 212 do pass.

LYNCH, Chairman.

Report adopted.

The Speaker appointed the following conference committee to act with a like committee from the Senate on Senate Amendments to House Bill No. 40: O'Connor, Toomey and Cummings.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:45 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Dairying, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 do not pass.

McKENNA, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 172 and Substitute House Bill No. 46.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Dairying, having had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343 do not pass.

McKENNA, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 be amended by inserting in Section 1, Page 1, Line 14 thereof before the word "except" the words "nor an illegitimate child without the consent of its mother, if living;" and by striking out in Line 20, Page of Section 1 the word "in" and inserting in lieu thereof the word "by", and by inserting in Line 20 of Page 1 of Section 1 following the word "asylum" the words ", home or agency", and by striking out the word "or asylum" in Line 24, Page 1 of Section 1 and inserting following the word "home" the words ", asylum or agency", and by striking out in Line 26 and Line 27, Page 1 of Section 1 the words "or asylum" and inserting in lieu thereof the words ", asylum or agency", and by striking out in Line 1 on Page 2 of Section 1

the words "or asylum" and by inserting in lieu thereof the following, "asylum or agency", and by inserting in Line 9, Page 2 of Section 1 before the word "herein" the words "of the parent or parents", and by striking out the whole of the underlined section beginning in Line 8 on Page 2 of Section 1 thereof and ending in Line 23 of Page 2 of Section 1 thereof and inserting in lieu thereof the following: "If the written consent of the parent or parents herein required is not filed in court, the court shall upon petition for adoption order citation in the name of the State of Montana, and under the seal of the court, to issue to the parent or parents, whose consent is not filed, directing such parent or parents to appear in court at a time to be fixed by the court in such order to show cause and citation why such petition should not be granted, and such citation together with a copy of the petition for adoption shall be personally served upon such parent or parents; or if any such parent or parents cannot be found within this state service may be had by publication of a copy of said citation in the manner provided for the publication of summons according to the provisions of Section 9118 of the Revised Codes of Montana of 1935. If, after such service, a parent whose consent is required does not appear the court may act upon the petition without the consent of such parent, and the order of the court upon such proceedings shall be binding upon all persons so served; provided that any such person shall have the right to appeal from the order in the manner and form provided for appeals from a judgment in civil actions." and as so amended, the same do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 193, respectfully report as follows: That House Bill No. 193 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 185, respectfully report as follows: That House Bill No. 185 do not pass, but that Substitute House Bill No. 185.

A bill for an act entitled: "An act to legalize, license and regulate certain kinds of gambling games and gambling enterprises within the State of Montana; defining the meaning of gambling games, gambling enterprises and other words and terms used in this act; providing a license fee for the operation of such games and enterprises and fixing the amount and disposal of such fees; defining the powers and duties of the state board of equalization in the administration and enforcement of this act and in the suspension or revocation of such licenses; prohibiting persons under the age of twenty-one years from playing at, loitering about such games or frequenting the premises where such games or enterprises are conducted; authorizing counties to levy a license tax in addition to the state license tax herein provided for; prescribing the hours during which such games or enterprises may be played or conducted; authorizing the state board of equalization to prescribe and promulgate rules and regulations for the enforcement of this act; providing for hearings by the board and appeals from decisions thereof; providing penalties for the violation of this act; providing for local option by counties in relation to the adoption of this act; repealing Section 11159 of the Revised Codes of Montana of 1935, as amended by Chapter 153 of the laws of the Twenty-fifth Legislative Assembly of Montana of 1937, and repealing all of said Chapter 153; repealing Sections 11160, 11180 to 11183, inclusive, of the Revised Codes of Montana of 1935, and all other acts and parts of acts in conflict herewith." be reported without recommendation.

ANTRIM, Chairman.

It was moved by Freshman, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by Hammond, duly seconded and carried, that Substitute House Bill No. 185 be printed and placed on General Orders.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 do not pass, but that Substitute House Bill No. 137

A bill for an act entitled: "An act to legalize, license and regulate certain pastime gambling games and gambling devices, including slot machines, punch boards, pin ball machines and similar devices; providing a license fee for the operation of such games and devices and fixing the amount and disposition thereof; defining the powers and duties of the state board of equalization in the administration of this act and in revoking licenses authorized by this act; prohibiting persons under the age of twenty-one years from playing at, loitering about such games or frequenting the premises where the same are conducted; authorizing counties to levy certain license taxes in addition to the state license tax herein provided for; defining certain words and terms used in this act; prescribing the hours during which such games or devices may be played or conducted; authorizing the state board of equalization to prescribe and promulgate rules and regulations for the enforcement of this act; providing for hearings and appeals from decisions thereof; providing penalties for the violation of this act; providing for local option by counties on the adoption of this act; repealing Section 11159 of the Revised Codes of Montana of 1935, as amended by Chapter 153, laws of the Twenty-fifth Legislative Assembly of Montana of 1937; repealing all of said Chapter 153 of the session laws of Montana of 1937 and all other acts and parts of acts in conflict herewith." be reported without recommendation.

ANTRIM, Chairman.

It was moved by Antrim, duly seconded, that the House adopt the report of the committee.

On substitute motion, it was moved by Curran, duly seconded and carried, that Substitute House Bill No. 137 be printed and placed on General Orders.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 do not pass.

TOOLE, Chairman.

It was moved by Toole, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by Parker of Cascade, duly seconded and carried, that House Bill No. 346 be printed and placed on General Orders.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 20, respectfully report as follows: That Senate Bill No. 20 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 100, respectfully report as follows: That House Bill No. 100 do not pass, but that Substitute House Bill No. 100

A bill for an act entitled: "An act to amend Part III, Section III of Chapter 82, of the laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the amount of old age assistance granted to qualified persons by the state department of public welfare and county boards of public welfare, and providing that persons of certain income shall be deemed prima facie in need and providing that such presumption be a disputable presumption, and may be controverted by other evidence; providing that if any of the provisions of this act be held unconstitutional or invalid or unenforceable, such unconstitutional, invalid or unenforceable provision shall be considered severable from the remainder of the act." be printed and placed on General Orders.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration, House Bill No. 355, respectfully report as follows: That House Bill No. 355 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Petroleum, Oil and Gas, having had under consideration Senate Bill No. 99, respectfully report as follows: That Senate Bill No. 99 be concurred in.

ARONSON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 147, respectfully report as follows: That House Bill No. 147 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 281, respectfully report as follows: That House Bill No. 281 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 363, respectfully report as follows: That House Bill No. 363 do not pass, but that Substitute House Bill No. 363, introduced by Committee on Highways and Highway Transportation

A bill for an act entitled: "An act to provide for the compulsory installation and maintenance of reflectory caution, stop signs at certain state highway and railroad intersections by the state highway commission; and the compulsory installation and maintenance of reflectory caution, stop signs at certain intersections of county roads or highways with railroads in the State of Montana; and the compulsory installation and maintenance of reflectory caution, stop signs at certain highway and railroad intersections in the State of Montana; and requiring all vehicles to come to a full

stop at such signs; and providing for a penalty and the enforcement thereof." do pass.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Petroleum, Oil and Gas, having had under consideration Senate Bill No. 36, respectfully report as follows: That Senate Bill No. 36 be concurred in.

ARONSON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 do not pass.

ARONSON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 211, 309, and 267, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration House Bill No. 337, respectfully report as follows: That the point of order raised on House Bill No. 337 as containing the same subject matter as House Bill No. 69 be not sustained.

CANNON, Chairman.

Report adopted.

Mr. Speaker:

We, a majority of your Committee on Rules, Joint Rules and Order of Business, having had under consideration motion of Cannon that House Rule No. 28 be suspended, for the specific purpose of further reconsidering action on Substitute House Bill No. 69, respectfully report as follows: That the motion of Cannon be rejected.

ARMSTRONG,
TOOMEY,
BYRNE.

Mr. Speaker:

We, a minority of your Committee on Rules, Joint Rules and Order of Business, having had under consideration motion of Cannon that House Rule No. 28 be suspended for the specific purpose of further reconsidering of action on Substitute House Bill No. 69, respectfully report as follows: That the motion of Cannon submitted to the Rules Committee that Rule 28 be suspended for the specific purpose of further reconsidering our action on Substitute House Bill No. 69 be disapproved by that as a substitute motion your Committee on Rules move that Rule No. 28 and Rule No. 60 of the Rules of this House be suspended for the specific purpose of this House reconsidering its action on Substitute House Bill No. 69.

CANNON,
STROMNES.

It was moved by Armstrong, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by Cannon, duly seconded, that the report of the minority be adopted.

A Call of the House was demanded by the required number. After the Clerk called the roll, on motion, duly seconded and carried, further call of the House was dispensed with.

After considerable discussion, the previous question was moved by Tonn, duly seconded and carried.

A point of order was raised by O'Connor, that it would take two-thirds vote to carry the motion of Cannon to adopt the report of the minority of the Committee on Rules, Joint Rules and Order of Business.

After considerable discussion and debate, the Speaker ruled, sustaining the point of order raised by O'Connor for the reason that the Committee on Rules, Joint Rules and Order of Business did not bring out a unanimous report.

Whereupon, motion to adopt the minority report of the Committee on Rules, Joint Rules and Order of Business, requiring a two-thirds majority, lost by the following vote:

Ayes: Ballard, Banka, Beazley, Beck, Bjorneby, Cannon, Clifford, Cummings, Curran, Dahlquist, Davey, Freshman, Friedl, Gunderson, Holding, Hess, James, Loughran, McKenna, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Saylor, Spiegel, Stevens, Toole, Tyler, Vanek, White, Zuck, Mr. Speaker. Total 39.

Noes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Gebhardt, Green, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lowe, Lynch, McDaniel, Martin of Madison, Miller, Morrow, Newell, O'Connor, Parker of Flathead, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Toomey, Williams, Wilson, Winters. Total 55.

Absent and not voting: Eggenberger, Goodwin, Harken, McGreevey, McMichael, Tonn, Watson, Welcome. Total 8.

Whereupon the majority report of the Committee on Rules, Joint Rules and Order of Business was adopted.

MOTIONS AND RESOLUTIONS

It was moved by Hammond duly seconded and carried that the Sergeant-at-Arms be instructed to print 500 extra copies of Substitute House Bill No. 185 and Substitute House Bill No. 137.

It was moved by Armstrong, duly seconded and carried, that House Bill No. 337 be re-referred to the Committee on Judiciary.

It was moved by Murray, duly seconded, that the minority report of the Committee on Labor, on House Bill No. 189, be taken from the table.

A point of order was raised by Cannon, that it would take two-thirds vote to carry the foregoing motion. The Speaker ruled, it would take only a majority.

A roll call, to be entered on the Journal, was requested by the required number, and motion by Murray to take House Bill No. 189 from the table, lost by the following vote:

Ayes: Banka, Beazley, Beck, Bjorneby, Burke, Cannon, Castles, Clifford, Dahlquist, Friedl, Gunderson, Holding, Hess, Lehrkind, McKenna,

Martin of Fergus, Mernin, Murray, Nash, Nelson, Parker of Cascade, Petersen, Phelan, Rice, Saylor, Spiegel, Tonn, Vanek. Total 28.

Noes: Allen, Anderson, Anson, Aronson, Ballard, Blenkner, Busch, Byrne, Carlson, Davey, Dougherty, Esp, Flock, Gebhardt, Green, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, Kemmis, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, Martin of Madison, Miller, Morrow, Newell, O'Brien, O'Connor, Oliver, Parker of Flathead, Potter, Reed, Roehl, Scofield, Simpson, Stevens, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck. Total 49.

Absent and not voting: Ahern, Antrim, Armstrong, Cole, Cummings, Curran, Dillavou, Eggenberger, Fewkes, Forbregd, Freshman, Goodwin, Harken, Hunter, James, Kirscher, McGreevey, McMichael, Parker of Wibaux, Rasmussen, Scott, Watson, Welcome, White, Mr. Speaker. Total 25.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 169 and House Joint Memorial No. 5.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 169 introduced by me and find the same to be correct.

PHELAN.

I have examined House Joint Memorial No. 5 introduced by me and find the same to be correct.

AHERN.

The Speaker signed House Bill No. 169 and House Joint Memorial No. 5 in Open Session.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 201, 307, 212, 224, 207, 179, and 365 and Substitute House Bill No. 87.

SAYLOR, Chairman.

report adopted.

Mr. Speaker:

We, a majority of your Committee on Judiciary, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do not pass and that Substitute House Bill No. 337.

A bill for an act entitled: "An act authorizing counties, cities, towns and school districts to complete projects under construction and sponsored prior to March 15, 1941, under and in accordance with the provisions of Chapter 85 Session Laws 1937, as amended by Chapter 209 Session Laws 1939, and to sponsor projects to be constructed by federal agencies during the fiscal year beginning July 1, 1941 and ending June 30, 1942, by furnishing materials, equipment, rentals, supplies and supervision in connection therewith; creating emergency relief fund and authorizing the issuance of anticipatory emergency relief fund warrants against such funds; and authorizing the levying of special taxes to pay such warrants; and declaring an emergency." Do pass.

TOOLE,
LIPPARD,
DILLAVOU,
BLENKNER,
BJORNEBY,
AHERN,
BURKE,
RICE,
REED.

Mr. Speaker:

We, a minority of your Committee on Judiciary, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do pass.

O'CONNOR,
MORROW,
TOOMEY.

It was moved by Toole, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by O'Connor, duly seconded, that the report of the minority be adopted. Motion lost.

Whereupon report of the majority was adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call adopted the report of the joint Conference Committee on House Amendments to S. B. No. 26.

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 97, by Committee on Counties and Towns.

S. B. No. 101, by Committee on State Boards and Offices.

S. B. No. 127, by Committee on Fish and Game.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that consideration of business under Third Reading and General Orders be passed until the evening session.

Speaker Pro Tem in the Chair.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

House Bill No. 366: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the State Department of Public Welfare of the State of Montana for public assistance, for administrative costs in the state department and in the county departments of Public Welfare and for all other expenditures that the State Department of Public Welfare may lawfully incur, for the period beginning with July 1, 1941, and terminating with June 30, 1943." Referred to the Committee on Appropriations.

Senate Bill No. 97: Introduced by the Committee on Counties and Towns: A bill for an act entitled: "An act to amend Section 1617 Revised Codes of Montana, 1935, relating to the powers of County Commissioners in levying property and poll taxes for highway purposes." Referred to the Committee on Townships and Counties.

Senate Bill No. 101: Introduced by Committee on Boards and Offices: A bill for an act entitled: "An act to transfer the division of services for

crippled children from the State Department of Public Welfare to the State Board of Health and prescribing its powers and duties." Referred to the Committee on State Boards and Offices.

Senate Bill No. 127: Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3703 of the Revised Codes of Montana, 1935, relating to closed season and bag limit on migratory game birds." Referred to the Committee on Fish and Game.

MOTIONS AND RESOLUTIONS

It was moved by Friedl, duly seconded, that the House reconsider its action on House Bill No. 326.

A Call of the House was demanded by the required number. After the Clerk called the roll, on motion, duly seconded and carried, further Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number and motion lost by the following vote:

Ayes: Beazley, Beck, Cannon, Dahlquist, Forbregd, Friedl, Green, Gunderson, Holding, Hess, Martin of Fergus, Mernin, Morrow, Nelson, Parker of Wibaux, Parker of Flathead, Phelan, Rice, Spiegel, Tonn, Tyler. Total 21.

Noes: Ahern, Anderson, Ansen, Antrim, Armstrong, Aronson, Ballard, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Cummings, Curran, Dillavou, Dougherty, Esp, Fewkes, Flook, Freshman, Gebhardt, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McKenna, Martin of Madison, Miller, Murray, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Roehl, Scofield, Simpson, Stevens, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 67.

Absent and not voting: Allen, Banka, Clifford, Davey, Eggenberger, Goodwin, Harken, McGreevey, McMichael, Saylor, Scott, Watson, Welcome, Zuck. Total 14.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

The following were excused from the evening session: Laubach and McMichael.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on State Institutions and Public Buildings and Grounds, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 do not pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 366, respectfully report as follows: That House Bill No. 366 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Development and Publicity, having had under consideration Senate Bill No. 90, respectfully report as follows: That Senate Bill No. 90 be concurred in.

BEAZLEY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 191, 196, 206, 222, 226, 336, 354, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 102 was passed by the following vote:

Ayes: Allen, Anderson, Armstrong, Aronson, Ballard, Busch, Byrne, Cannon, Cole, Cummings, Curran, Davey, Dillavou, Fewkes, Freshman, Friedl, Green, Hageman, Hammond, Harrison, Hunter, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, Nash, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Reed, Rice, Scofield, Scott, Simpson, Toole, Toomey, Tyler, Williams, Wilson, Zuck, Mr. Speaker. Total 48.

Noes: Antrim, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Carlson, Castles, Clifford, Dahlquist, Dougherty, Esp, Flook, Forbregd, Gunderson, Hess, James, McGreevey, McKenna, Martin of Fergus, Mernin, Miller, Murray, Nelson, Oliver, Parker of Cascade, Rasmussen, Roehl, Saylor, Spiegel, Tonn, Vanek, White, Winters. Total 35.

Absent and not voting: Ahern, Anson, Gebhardt, Goodwin, Harken, Hazelbaker, Holding, Horrigan, Kirscher, Laubach, McMichael, Martin of Madison, Morrow, Petersen, Stevens, Watson, Welcome. Total 17.

Paired: Eggenberger, Kemmis. Total 2.

House Bill No. 111 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 88.

Noes: O'Connor, Mr. Speaker. Total 2.

Absent and not voting: Burke, Eggenberger, Goodwin, Harken, Horrigan, Kirscher, Laubach, McMichael, Martin of Madison, Morrow, Watson, Welcome. Total 12.

Senate amendments to House Bill No. 108 were concurred by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Busch, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 85.

Noes: Curran, Mr. Speaker. Total 2.

Absent and not voting: Beazley, Burke, Byrne, Eggenberger, Goodwin, Harken, Horrigan, Kirscher, Laubach, Lippard, McMichael, Morrow, Petersen, Watson, Welcome. Total 15.

Senate amendments to House Bill No. 43 were concurred by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Hunter, James, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Murray, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 81.

Noes: Curran, Kemmis, Mernin, Spiegel, Mr. Speaker. Total 5.

Absent and not voting: Anson, Beazley, Burke, Eggenberger, Goodwin, Harken, Horrigan, Kirscher, Laubach, Lippard, McMichael, Morrow, Nash, Potter, Watson, Welcome. Total 16.

Substitute House Bill No. 46 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Bjerneby, Blenkner, Busch, Byrne, Cannon, Carlson, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hammond, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck. Total 79.

Noes: Beazley, Beck, Dahlquist, Esp, Hageman, O'Connor, Oliver, Simpson, Tonn, Tyler, Mr. Speaker. Total 11.

Absent and not voting: Burke, Castles, Eggenberger, Goodwin, Harken, Horrigan, Kirscher, Laubach, McMichael, Watson, Welcome. Total 12.

House Bill No. 172 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles,

Clifford, Cole, Cummings, Dahlquist, Davey, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Harrison, Hazelbaker, Holding, Hunter, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Martin of Madison, Martin of Fergus, Mernin, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Zuck. Total 71.

Noes: Beazley, Curran, Dillavou, Hammond, Hess, Kemmis, McDaniel, McGreevey, McKenna, Miller, Morrow, Nash, O'Connor, Rice, Winters, Mr. Speaker. Total 16.

Absent and not voting: Allen, Burke, Eggenberger, Goodwin, Harken, Horrigan, James, Kirscher, Laubach, Lynch, McMichael, Parker of Flathead, Potter, Watson, Welcome. Total 15.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Murray in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 183 be amended as follows:

Amend Section 5 by inserting in line 27 after the word "drugs" the following "or intoxicating liquors";

Amend Section 7 by adding in line 5 after the word "osteopathic" the word "physician"; and in line 9 by striking out the words "bona fide" before the word "Christian";

and that the same do pass as amended;

That House Bill No. 131 do pass;

That House Bill No. 290 do pass;

That House Bill No. 31 be amended as follows:

Amend Section 1 by striking out in line 4 the word "the" following the word "of" and inserting in lieu thereof the words "any" and by adding after the word "Court" in line 5 the words "of the State of Montana" and by inserting after the word "made" in line 5 the words "at least twenty-four hours" and by inserting after the word "if" in line 7 the words "at the expiration of said twenty-four hours"; and as amended that the same do pass;

That House Bill No. 303 do pass;

That House Bill No. 345 do pass;

That House Joint Memorial No. 6 do pass;

That House Bill No. 88 do pass;

That House Bill No. 216 be amended as follows:

Amend Section 1 by striking out the words in line 10—"The State Auditor and" and by striking out all of lines 11 to 19 inclusive. and that the same do pass, as amended.

MURRAY, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 117 and 164.

SAYLOR, Chairman.

Report adopted.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 164 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Rasmussen, Rice, Roehl, Saylor, Scofield, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck, Aronson, Mr. Speaker. Total 81.

Noes: Nelson, Petersen. Total 2.

Absent and not voting: Ahern, Burke, Cannon, Davey, Eggenberger, Goodwin, Harken, Kirscher, Laubach, Lehrkind, McMichael, Mernin, O'Connor, Potter, Reed, Scott, Tyler, Watson, Welcome. Total 19.

House Bill No. 117 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Ballard, Beazley, Beck, Blenkner, Burke, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Gunderson, Hageman, Hazelbaker, Holding, Hess, Lehrkind, Lippard, Loughran, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, O'Connor, Parker of Cascade, Peterson, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Stevens, Toole, White, Zuck, Mr. Speaker. Total 57.

Noes: Anson, Aronson, Banka, Busch, Green, Hammond, Horrigan, James, Kemmis, LaBonte, Lowe, Lynch, McDaniel, Martin of Madison, Miller, Morrow, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Scofield, Simpson, Tonn, Toomey, Tyler, Vanek, Williams, Wilson, Winters. Total 29.

Absent and not voting: Armstrong, Bjerneby, Cannon, Davey, Eggenberger, Friedl, Goodwin, Harken, Harrison, Hunter, Kirscher, Laubach, McMichael, Potter, Watson, Welcome. Total 16.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Sunday, February 16th, 1941, at 2:00 o'clock P. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-SECOND DAY

House of Representatives,
Helena, Montana,
February 16, 1941.

House convened, pursuant to adjournment, at 2:00 o'clock P. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following, who were excused: Harken, Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Forty-first Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker:

We, your joint conference committee from the Senate and House of Representatives appointed to confer on House amendments to Senate Bill No. 26 report and recommend as follows:

"That the Senate agree to the House amendment to the title and to lines 21 and 22 of Section 1 of the Bill.

The House recede from its amendment to line 17 of Section 1 and the House also recede from its amendment inserting in line 22, Section 1 the following:

"Any person owning real estate to which the county has taken a tax deed subsequent to February 7th, 1939, the effective date of Chapter 11, Session Laws of 1939, and was in possession thereof at the time said tax deed was taken and where the county has not sold said land, shall be permitted to purchase said land or any part thereof by paying the original tax due thereon and without the payment of penalty and interest provided such lands are purchased on or before July 1, 1941."

That the Senate agree to the remaining House Amendments.

PLANK,
KALBERG,
WEINSCHROTT,
For the Senate.

RASMUSSEN,
HARKEN,
MILLER,
For the House.

It was moved by Petersen, duly seconded, that the report of the conference committee be adopted.

On roll call, conference committee report on House Amendments to Senate Bill No. 26 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, O'Brien,

O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 88.

Noes: Simpson, Tonn. Total 2.

Absent and not voting: Cannon, Cole, Goodwin, Harken, Horrigan, Kirscher, Lehrkind, McMichael, Newell, Rasmussen, Watson, Welcome. Total 12.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 12, respectfully report as follows: That House Joint Memorial No. 12 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration House Bill No. 247, respectfully report as follows: That House Bill No. 247 do not pass.

BJORNEBY, Chairman.

It was moved by Bjorneby, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by McGreevey, duly seconded and carried, that House Bill No. 247 be printed and placed on General Orders.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 311, respectfully report as follows: That House Bill No. 311 be amended by inserting in the third line after the word "water" the following: "In sections 31 and 32 in Township 28 North of Range 22 West; Sections 4, 5, 8, 9, 16, 17, 18, 19 and 20 in Township 27 North of Range 22 West; Sections 13, 14, 15, 16, 21, 22, 23 and 24 in Township 27 North of Range 23 West, Flathead County, Montana." and as so amended do pass.

BALLARD, Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 do not pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Health and Sanitary Affairs, having had under consideration Senate Bill No. 70, respectfully report as follows: That Senate Bill No. 70 be concurred in.

LYNCH, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Education, having had under consideration House Bill No. 238, respectfully report as follows: That House Bill No. 238 be amended as follows:

Amend Section 4, page 2, at the end of line 27 by inserting the word "elementary".

Amend Section 6, page 6, by inserting after the word "the" in line 1 the words "Political Code of the".

In Section 7, page 6, in line 15 strike the words "an approved method of".

Amend Section 7, page 7, in line 6 after the figure (1½) insert the following "but less than three (3)".

In same section and on the same page at the end of line 8 add the following sentence: "Children living three (3) miles or more from such bus route shall receive transportation aid on the basis provided in the schedule fixed in this section."

Amend Section 9, page 8, beginning in line 17 by striking the (,) after the word "transportation" and insert in lieu thereof a (.). In the same line beginning with the word "and" strike the balance of the sentence ending with the word "alien" in line 19.

Amend Section 11, page 9, in line 5 by striking out the word "by" and inserting in lieu thereof the words "under the supervision of".

In line 8 on the same page and in the same section strike the word "must" and insert in lieu thereof the word "may".

Amend Section 13, page 9, in line 27 by adding the word "county" before the word "high school".

In the same section on page 10, at the end of line 2 add the following: "Such reimbursement shall be made in accordance with the provisions of Sections 1200.1, 1200.6, 1200.7 and 1200.9 of the Revised Codes of Montana, 1935, except that the schedule provided in this act for individual transportation or services in lieu thereof shall be used instead of any schedule which may have been heretofore or may hereafter be fixed and promulgated by the state board of education."

In line 17, page 10, strike the word "reimbursement" and insert in lieu thereof the words "state transportation aid".

Amend Section 14, page 10, by inserting in line 30 before the word "transportation" the words "high school". In line 30 beginning with the word "considered" strike the balance of the line, all of lines 31, 32, and the words "transportation cost be" of line 1, page 11.

In line 3, page 11, before the word "Section" insert "shall not be a part of the county-wide levy provided for in".

Section 14. In line 8, page 11, beginning with the word "Provided" strike the balance of the section, and insert in lieu thereof the following: "Provided, further, that the levies for the transportation of public school elementary children shall be made in accordance with any one or more of the following provisions:

1. The levy for transportation shall first be applied to the taxable property of the district when and only when the ten (10) mill levy provided in Section 1203 of the Revised Codes of Montana, 1935, is adequate to cover the district budget for all maintenance and operation purposes and in addition the amount needed for the transportation of public elementary school children.

2. When the elementary school transportation budget for any or all districts requires a levy or levies in excess of ten (10) mills upon the property of the district or districts, a county-wide levy shall be made. Such county-wide levy shall be a part of the school levy provided in Section 1202 of the Revised Codes of Montana, 1935, and shall be that part which is in excess of six (6) but not in excess of eight (8) mills as provided in said section. The proceeds of such county-wide elementary school transportation levy if made shall be divided among those districts in the county which have elementary school transportation budgets and which have district levies of at least 10 mills. Such division shall be in the proportion that that part of each of the several district's elementary school transportation budget,

which requires a district levy in excess of 10 mills, bears to the total of such district transportation budgets for the whole county.

3. If after the transportation aid from the State and the income from the levies provided for above have been deducted from the amount required for elementary school transportation budgets, additional funds are required to cover such budgets, then the county commissioners shall make such additional levy or levies on the taxable property of the school district or districts as may be needed to meet such additional amount required for such budget or budgets.

Strike all of Section 17 and renumber the following section from 18 to 17. And as so amended do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 be amended by striking therefrom the following words in lines 26 and 27: "purchased by or belonging to the United States and used for any purpose whatsoever", and by inserting in lieu thereof the following words: "formerly upon the tax rolls and purchased by the United States and used for resettlement, rehabilitation or grazing purposes", and as amended do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 282, respectfully report as follows: That House Bill No. 282 do not pass.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 43 and 108.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 43 introduced by me and find the same to be correct.

ANTRIM.

I have examined House Bill No. 108 introduced by me and find the same to be correct.

CUMMINGS.

The Speaker signed House Bill Nos. 43 and 108 in Open Session.

MOTIONS AND RESOLUTIONS

It was moved by Cummings, duly seconded, that the House reconsider its action in adopting an adverse committee report on House Bill No. 343. Motion was lost.

Speaker Pro Tem in the Chair.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 201 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 86.

Absent and not voting: Burke, Carlson, Goodwin, Harken, Horrigan, Kemmis, Lehrkind, Lippard, Loughran, McMichael, Morrow, Watson, Welcome, White. Total 14.

Passed: Esp, Scofield. Total 2.

House Bill No. 307 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters. Total 83.

Noes: Davey, Hess, Tonn, Zuck. Total 4.

Absent and not voting: Carlson, Cole, Goodwin, Harken, Lehrkind, McMichael, Murray, O'Brien, Parker of Flathead, Petersen, Stevens, Watson, Welcome, White, Mr. Speaker. Total 15.

House Bill No. 212 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, James, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Stevens, Toole, Toomey, Williams, Winters, Zuck. Total 74.

Noes: Banka, Dahlquist, Holding, Hess, Kemmis, Mernin, Murray, Newell, Saylor, Spiegel, Tonn, Vanek, White, Wilson. Total 14.

Absent and not voting: Byrne, Cole, Goodwin, Harken, Kirscher, Lehrkind, McMichael, O'Brien, Parker of Flathead, Petersen, Tyler, Watson, Welcome, Mr. Speaker. Total 14.

House Bill No. 224 was passed by the following vote:

Ayes: Ahern, Anson, Anrson, Ballard, Banka, Beck, Bjorneby, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Esp, Flook, Forbregd, Freshman, Friedl, Gebhardt, Gunderson, Hammond, Harrison, Hazelbaker, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, McGreevey, McKenna, Mernin, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck. Total 67.

Noes: Allen, Antrim, Beazley, Blenkner, Cole, Eggenberger, Fewkes, Green, Horrigan, Kemmis, Lippard, Lowe, Lynch, McDaniel, Martin of Madison, Martin of Fergus, Miller, Murray, Roehl, Saylor, Simpson, Vanek. Total 22.

Absent and not voting: Anderson, Armstrong, Dougherty, Goodwin, Hageman, Harken, Holding, McMichael, O'Brien, Parker of Flathead, Watson, Welcome, Mr. Speaker. Total 13.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Ballard in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 152 be amended as follows:

Amend Section 1 by changing the period to a semi-colon at the end of section 1 and adding the words "and provided further, that public buildings which are pledged as security for outstanding bond issues, or other obligations, or public buildings now under construction, or to be constructed in the future, financed by money received from the sale of bonds secured by such buildings, may be insured to the extent of the indebtedness outstanding against them.";

Amend the title by inserting after the word "State," and before the word "except" the following "except on buildings which are pledged for security or are now under construction or to be constructed to the extent of outstanding indebtedness, and";

and as amended, that House Bill No. 152 do pass;

That House Joint Memorial No. 10 do pass;

That House Bill No. 356 do pass;

That House Bill No. 306 do pass;

That consideration of House Bill No. 327 be passed for the day;

That the enacting clause be stricken from House Bill No. 278;

That House Bill No. 330 do pass.

BALLARD, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 216, 131, 290, 303, 28 and 31 and House Joint Memorial No. 6.

SAYLOR, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, February 17th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-THIRD DAY

House of Representatives,
Helena, Montana,
February 18, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Davey, Laubach, Watson and Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Forty-second Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 be amended by striking out all of Section 4 thereof, and as so amended the same do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on State Boards and Offices, having had under consideration House Bill No. 324, respectfully report as follows: That House Bill No. 324 do pass.

PARKER of Wibaux,
Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 6, respectfully report as follows: That Senate Bill No. 6 be reported out without recommendation.

PARKER of Wibaux,
Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50 be amended as follows:

AMENDMENT TO HOUSE BILL NO. 50

Introduced by Toomey, and known as the
MONTANA FOOD, DRUG AND COSMETIC ACT

Amend Section 2, subsection (f), page 2, by striking out in line 19 after the word "animals" a period and inserting in lieu thereof a comma, and adding thereto the words "provided, further, the term "device" shall not be construed as applying to any instruments, apparatus, or contrivance used by any regularly licensed practitioner in the practice of his profession."

Amend Section 2, subsection (g), page 2, by striking out in line 25 after the word "soap" a period and inserting a comma and adding thereto the words "but shall include all soaps which are sold or advertised as possessing special beautifying properties, vitamins or any claims other than for cleansing."

Amend Section 6, page 8 by striking out the entire section and inserting in lieu thereof the words "The Board may adopt, publish and enforce by promulgation of specific text the definitions and standards of identity, and quality, and the standards of fill of container, promulgated under authority conferred by the Federal Act and adopted herein.

Amend Section 9, Subsection (e), page 10, by striking out in line 8 after the word "count" the semi-colon and inserting in lieu thereof a period and by striking out the balance of line 8 and the remainder of Subsection (e).

Amend Section 12, page 13, by striking out in line 27 after the words "Section 8 (a)." the remainder of the section.

Amend Section 14, Subsection (b), page 15, by striking out in line 12 after the word "count" the semi-colon and inserting in lieu thereof a period and by striking out the balance of line 12 and the remainder of Subsection (b).

Amend Section 14, Subsection (d), page 15, by striking out in line 27 after the word "substance" the comma and inserting in lieu thereof a semi-colon and by striking out in line 27 the word "which derivative has" and by striking out all of lines 28, 29 and 30, and the word "forming;" in line 31.

Amend Section 14, Subsection (k), page 17, by striking out in lines 29 and 30 the words "or any other drug designated by" and by striking out lines 30, 31 and 32 and the words "recommended" or suggested in the labeling thereof," and retaining the comma after the word "thereof" in line 1, page 18.

Amend Section 17, Subsection (e), page 20, by striking out lines 24 and 25 and inserting in lieu thereof the words "If it is not a hair dye and it bears or contains a coal-tar color other than one from a batch or quantity that has been certified under authority conferred by the Federal Act."

Amend Section 18, Subsection (b), page 20, by striking out in line 32 after the word "count" the semi-colon and inserting in lieu thereof a period and by striking out thereafter the remainder of Subsection (b).

Amend Section 19, Subsection (b), page 21, by striking out in line 32 after the word "devices" the semi-colon and inserting in lieu thereof a period and by striking out thereafter the remainder of Subsection (b).

Amend Section 20, Subsection (a), page 22, by striking out in line 18 the words "The Board is hereby" and by striking out the balance of the Subsection and inserting in lieu thereof the words "No rules or regulations shall be promulgated by the State Board of Health under the provisions of this act which do not conform to the rules and regulations of the United States Government under any National Act or Acts.

Amend Section 20, Subsection (c), page 22, line 25, by inserting after "12 (a)", the figure "14" thereafter and before the letters (d) (f) (g).

Amend Section 20, page 23, by adding thereto after line 8, a Subsection "(d)" and adding thereunder the words "The District Court of any Judicial District of the State of Montana shall have jurisdiction to review and to affirm, modify or set aside any order issued under Subsection (c) of this Section, promulgating a new or amended regulation under this act, upon petition made to such District Court at any time prior to the effective date of such regulation, by any person adversely affected by such order. A review of a regulation or order by any one District court of a Judicial District shall constitute a complete review in case of each such regulation, and subsequent review of the same regulation by other District Courts of the State of Montana shall render each subsequent decision null and void."

Amend Section 21, page 23, by inserting in line 10 after the figure 21 and after the period a subsection lettered "(a)", before the word "For".

Amend Section 21, page 23, by striking out in line 11 the word "employees" and inserting in lieu thereof the word "persons".

Amend Section 21, page 24, line 2 by adding thereto a subsection "(b)". It shall be the duty of the State Board of Health to enforce the provisions of this act. They shall, through their secretary and through local and county health officers, make all necessary investigations and inspections in reference to all food and drugs, and for this purpose the state, county and local health officers shall be food and drug inspectors for their respective districts; each local and county health officer shall make regular inspections as the rules and regulations of the State Board of Health may direct, and such special inspections as said Board of Health may from time to time order made, and he shall make such reports relative to conditions existing within his district at such times and in such manner as the State Board of Health may direct. Should any health officer fail, neglect or refuse to make any such regular or special inspection or fail to make any report in the manner and at the time designated by the State Board of Health, or should he make a false report of any condition that may exist within his district, the State Board of Health shall notify the mayor of the city or town, in the case of a local health officer, or the chairman of the Board of County Commissioners, in the case of a county health officer, of such negligence on the part of such health officer, and said State Board of Health may, in their discretion, order the removal from office of such delinquent health officer; and when such an order is issued by the State Board of Health, the mayor of the city or town in the case of a local health officer, or the Board of County Commissioners, in the case of a county health officer shall immediately declare the office of health officer vacant and shall appoint another competent and legally qualified physician and surgeon to fill the office.

All state, local and county health officers are hereby authorized to enter any premises where any article of food or drug is sold, offered for sale, manufactured, cooked, stored or treated in any way, for the purpose of inspecting such premises and the manner in which such food or drug is handled.

Amend Section 27, page 26, by striking out in line 14 after the word "premises" a period and inserting in lieu thereof a comma and adding thereto the words "provided, further, nothing in this act shall be construed to replace or repeal any part of Chapter 49 of the 1939 Session Laws, known as "The Food Distributors Law of 1939."

Amend Section 29, Subsection (b), page 27 by striking out the entire subsection (b) and inserting in lieu thereof the words: "No dealer shall be prosecuted under the provisions of this act for selling or offering for sale any article of food or drugs, as defined herein, when the same is found to be adulterated or misbranded within the meaning of this act, in the original, unbroken package in which it was received by said dealer, when he can establish a guarantee, signed by the wholesaler, jobber or agent or other party residing in the United States from whom he purchased such article, or

if a proper printed guarantee of the manufacturer with his address be upon the package or container, to the effect that the same is not adulterated or misbranded in the original unbroken package in which the said article was received by said dealer, within the meaning of this act, designating it, or within the meaning of the federal act. Said guarantee to afford protection must contain the name and address of the party or parties making the sale of said article to such dealer or of the manufacturer thereof as herein specified, and in such case said party shall be amenable to prosecution, fines and other penalties which would attach in due course to the dealer, under the provisions of this act.

Amend Section 32, page 28, by striking out in line 27 the figure 2436, and, as amended, that House Bill No. 50 do pass.

LYNCH, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 341, respectfully report as follows: That House Bill No. 341 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 190, respectfully report as follows: That House Bill No. 190 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 101, respectfully report as follows: That Senate Bill No. 101 be concurred in.

PARKER of Wibaux,
Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 59, respectfully report as follows: That Senate Bill No. 59 be concurred in.

PARKER of Wibaux,
Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 do pass.

CANNON, Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 362, respectfully report as follows: That House Bill No. 362, do pass.

CANNON, Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Constitutional Amendments having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 do pass.

LOUGHRAN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Oliver, duly seconded and carried, that Senate Bill No. 59 be taken from General Orders and referred to the Committee on Appropriations.

It was moved by Byrne, duly seconded and carried, that business under Third Reading be passed temporarily and that the House proceed to consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Toole in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of House Bill No. 327 be passed for the day;

That House Bill No. 211 do pass;

That consideration of House Bill No. 249 be passed temporarily;

That consideration of House Bills Nos. 287 and 253 be passed for the day;

That House Bill No. 98 do pass;

That House Bills Nos. 256, 257 and 258 do pass;

Motion to pass House Bill No. 288 failed;

That House Bill No. 234 be amended as follows:

Amend Section 9 by striking out in line 1, after the word "hereafter" the words "do any act of plumbing or";

Amend Section 17 by striking out the word "consistent" in line 10 and inserting in lieu thereof the word "inconsistent";

And that the same do pass as amended;

That consideration of House Bills Nos. 235 and 267 be passed for the day;

That House Bill No. 249 be amended as follows:

Amend the title by striking from lines 1, 2 and 3 thereof the following: "Section 1747.12 of the Revised Codes of Montana of 1935, as amended by";

Amend Section 1 by striking from lines 1 and 2 thereof the following: "Section 1747.12 of the Revised Codes of Montana of 1935, as amended by" and that the same do pass as amended;

That consideration of House Bill No. 248 be passed for the day.

That House Bill No. 272 do pass.

TOOLE, Chairman.

It was moved by Toole, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Lynch, duly seconded, that House Bill No. 234 be segregated from the report of the Committee of the Whole.

A Call of the House was demanded by the required number and after the Clerk called the roll, on motion, duly seconded and carried, further Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number, and motion to segregate House Bill No. 234 from the report of the Committee of the Whole was lost by the following vote:

Ayes: Aronson, Blenkner, Eggenberger, Flook, Forbregd, Green, Hageman, Hammond, Harrison, Horrigan, Kemmis, Kirscher, Lowe, Lynch, McDaniel, Nelson, Oliver, Parker of Flathead, Potter, Scofield, Simpson, Williams, Wilson, Winters. Total 24

Noes: Ahern, Allen, Anderson, Antrim, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Byrne, Cannon, Carlson, Clifford, Cummings, Curran, Dahlquist, Esp, Fewkes, Freshman, Gebhardt, Goodwin, Gunderson, Harken, Holding, Hess, Lehrkind, Loughran, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Toole, Tyler, Vanek, White, Zuck. Total 54.

Absent and not voting: Anson, Armstrong, Burke, Castles, Cole, Davey, Dillavou, Dougherty, Friedl, Hazelbaker, Hunter, James, LaBonte, Laubach, Lippard, Martin of Madison, Newell, O'Connor, Stevens, Tonn, Toomey, Watson, Welcome, Mr. Speaker. Total 24.

Whereupon Committee of the Whole report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred Substitute House Bill No. 142, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

The Speaker signed Senate Bill No. 26 in Open Session.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 48, respectfully report as follows: That Senate Bill No. 48 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 89, respectfully report as follows: That Senate Bill No. 89 be not concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 177, respectfully report as follows: That House Bill No. 177 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 72, respectfully report as follows: That Senate Bill No. 72 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 be amended by inserting in line 9 of Section following the word "employed" and before the word "in" the following words: "as a bartender, waiter, or waitress whose duty is to serve customers purchasing liquors or wines", and be amended by striking out in Section 2, line 13 following, the word "misdemeanor" the words "punishable according to the", and striking all of line 14, and line 15 in Section 2, and as so amended that the same do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 173, respectfully report as follows: That House Bill No. 173 be amended in Section 3, subsection (d), part 2, in line one (1) on page six (6) by striking the semicolon after the word "premises", and inserting in lieu thereof a period. Amend further by striking out all of the remainder of said part 2, beginning with the word "provided" in line 1, page 6 and continuing to and including all of line eight (8), page six, and insert in lieu thereof a new paragraph as follows: "Such disqualifications shall continue for a period of not more than eight (8) weeks (in addition to the waiting period weeks) occurring during such stoppage of work." Section 4 by striking out in line four (4), page eight (8) the figures "1945" and inserting in lieu thereof the figures "1943". Section 7, line 4, page 11 by inserting after the word "whatsoever" the following sentence "All moneys in this fund received pursuant to Section 302 of the Social Security Act from the federal government, or any other federal agency for the furtherance of the objects of this law, shall be expended solely for the purposes and in the amounts found necessary by the Social Security Board for the proper and efficient administration of this act." Section 8 by adding in line ten (10) of paragraph (E), page 21 after the word animals the words "and wild life and anglers clubs or associations." Do pass as amended.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 be amended as follows: On page two in line nine after the word "county" strike out the period and insert in lieu thereof a comma and add the following: "and that when a transfer of ownership of any used motor vehicle bearing a current year's license plate has been completed, such license plate shall be valid in any other county of the state." And as amended do pass.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 350, respectfully report as follows: That House Bill No. 350 do not pass. But that Substitute House Bill No. 350 introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3736 of the Revised Codes of Montana of 1935, relating to fees for permits for the shipment of fish and game."

CANNON, Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration substitute House Bill No. 64, respectfully report as follows: That Substitute House Bill No. 64 be amended as follows: By striking in lines 9, 10 and 11 of the title thereof, after the words "patrolmen reserves" the words "and providing for an appropriation to establish the pension fund herein created". And by striking in page 5 of said Substitute House Bill 64, all of lines 20, 21, 22, 23, 24, 25, and 26, the following: "1741.20. For the purpose of initiating and establishing the Montana Highway Patrolmen's Pension Fund there is hereby appropriated from moneys in the State treasury to the credit of the General Fund not otherwise appropriated, the sum of fifty thousand dollars (\$50,000.00) which said sum shall be credited to the Montana Highway Patrolmen's Pension Fund by the state treasurer to be used for the purposes provided in this act." And that as amended, said Substitute House Bill No. 64 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 97, respectfully report as follows: That Senate Bill No. 97 be concurred in.

TYLER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 314, respectfully report as follows: That House Bill No. 314 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 129, respectfully report as follows: That House Bill No. 129 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Mines and Mining, having had under consideration House Bill No. 246, respectfully report as follows: That House Bill No. 246 do not pass.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165 do not pass.

DOUGHERTY, Chairman.

It was moved by Dougherty, duly seconded, that the report of the committee be adopted.

On Substitute motion, it was moved by Stevens, duly seconded and carried, that House Bill No. 165 be re-referred to the Committee on Appropriations.

Mr. Speaker:

We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 do not pass.

FRESHMAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Mines and Mining, having had under consideration House Bill No. 178, respectfully report as follows: That House Bill No. 178 do not pass.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Corporations Other Than Municipal, having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 do not pass.

COLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Mines and Mining, having had under consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 do not pass.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration House Bill No. 348, respectfully report as follows: That House Bill No. 348 do not pass.

BJORNEBY, Chairman.

It was moved by Bjorneby, duly seconded, that the report of the Committee on House Bill No. 348 be adopted.

On Substitute motion, it was moved by Toomey, duly seconded, that House Bill No. 348 be printed and placed on General Orders.

A call of the House was demanded by the required number. After the Clerk called the roll, on motion, duly seconded and carried, further Call of the House was dispensed with.

After discussion, the previous question was moved by Spiegel, duly seconded and carried.

A roll call, to be entered in the Journal, was requested by the required number and motion by Toomey lost by the following vote:

Ayes: Ahern, Allen, Anson, Armstrong, Aronson, Blenkner, Busch, Byrne, Carlson, Castles, Curran, Dillavou, Eggenberger, Esp, Flook, Gebhardt, Goodwin, Green, Harrison, Hazelbaker, Horrigan, Hunter, Lehrkind, Lowe, Lynch, McMichael, Miller, Morrow, Newell, O'Connor, Oliver, Parker of Flathead, Potter, Roehl, Scofield, Simpson, Stevens, Toomey, White, Williams, Winters. Total 41.

Noes: Anderson, Ballard, Banka, Beazley, Beck, Bjorneby, Cannon, Cole, Cummings, Dahlquist, Dougherty, Fewkes, Forbregd, Freshman, Friedl, Gunderson, Hageman, Hammond, Harken, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Lippard, Loughran, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Phelan, Rasmussen, Reed, Rice, Saylor, Scott, Spiegel, Tonn, Vanek, Wilson, Zuck, Mr. Speaker. Total 51.

Absent and not voting: Antrim, Burke, Clifford, Davey, Laubach, Petersen, Toole, Tyler, Watson, Welcome. Total 10.

Whereupon report of the Committee on Privileges and Elections on House Bill No. 348 was adopted.

Mr. Speaker.

We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 65, respectfully report as follows: That Senate Bill No. 65 be concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 47, respectfully report as follows: That Senate Bill No. 47 be not concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 88, 345, 306, 330, 152, 183, Substitute House Bill No. 1, House Joint Memorial No. 10.

SAYLOR, Chairman.

Report adopted.

The following deferred report of the Committee on Rules, Joint Rules and Order of Business was read:

We, your Committee on Rules, Joint Rules and Order of Business, respectfully report as follows: That the following be adopted and added as Subsection 3 of Rule 35: "No bill shall be introduced or re-introduced in the House or considered by the House after a previous bill containing the same subject matter or substantially the same subject matter and designed to accomplish the same purpose has been finally rejected by the House."

CANNON, Chairman.

On motion of Cannon, duly seconded and carried, report was adopted.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker:

We, your Committee on Joint Conference, having had under consideration Senate Amendments to House Bill No. 47, respectfully report as follows: That the House refuses to accede to the Senate Amendments to House Bill 47, and that your Committee be discharged and a new committee appointed.

McKENNA,
HUNTER,
LYNCH,

For the House.

BAKER of Dawson,
CAMPBELL,
SIMMONS,

For the Senate.

It was moved by Lynch, duly seconded and carried, that the report of the Conference Committee on Senate Amendments to House Bill No. 47 be adopted.

The Speaker announced that in the future, in order to sustain any divided committee report from the Committee on Rules, Joint Rules and Order of Business, it would take a two-thirds majority to adopt either report.

MOTIONS AND RESOLUTIONS

It was moved by Hammond, duly seconded and carried, that further consideration of House Bill No. 288 be indefinitely postponed.

It was moved by Oliver, duly seconded and carried, that Senate Bill No. 6 be placed on General Orders.

It was moved by Cannon, duly seconded and carried, that House Bill No. 362 be taken from the Committee on Printing and re-referred to the Committee on Fish and Game.

INTRODUCTION OF BILLS

House Bill No. 367, introduced without previous notice by unanimous consent of the House by the Committee on Appropriations, entitled: A bill for an act entitled: "An act authorizing the governor to appoint a three-man committee to study and revise the fish and game laws of the State of Montana, setting forth the qualifications of the members of the committee; defining their powers and duties and limiting the expenses of said committee." having been read first and second times at length, was referred to the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, at the request of the House, named the following Senators

to act as a conference committee with a like committee from the House for the consideration of Senate amendments to H. B. No. 40: Campbell, Drumheller, Baker of Dawson.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 207 was passed by the following vote:

Ayes: Anson, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Clifford, Cole, Curran, Dahlquist, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Lehrkind, Lippard, Loughran, Lowe, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Ahern, Allen, Anderson, Antrim, Aronson, Byrne, Cannon, Carlson, Castles, Cummings, Davey, Dougherty, Gebhardt, Horrigan, Kirscher, Laubach, Lynch, McDaniel, Mernin, O'Brien, Petersen, Rasmussen, Watson, Welcome. Total 24.

House Bill No. 179 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 89.

Noes: Rice. Total 1.

Absent and not voting: Ahern, Antrim, Cannon, Castles, Davey, Dougherty, Gunderson, Horrigan, Laubach, Martin of Madison, Watson, Welcome. Total 12.

House Bill No. 365 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey,

McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Newell, O'Brien, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Zuck, Mr. Speaker. Total 78.

Noes: Ballard, Carlson, Holding, Mernin, Parker of Cascade, Spiegel, Tonn, Winters. Total 8.

Absent and not voting: Ahern, Antrim, Byrne, Cannon, Castles, Davey, Dougherty, Horrigan, Laubach, Nelson, O'Connor, Rice, Vanek, Watson, Welcome. Total 15.

Passed: Oliver. Total 1.

Substitute House Bill No. 87 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Ahern, Antrim, Burke, Cannon, Castles, Davey, Dougherty, Eggenberger, Horrigan, Laubach, O'Connor, Rice, Watson, Welcome. Total 14.

House Bill No. 28 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, White, Wilson, Zuck, Mr. Speaker. Total 75.

Noes: Esp, Gunderson, Hageman, Kemmis, Lippard, McDaniel, Martin of Fergus, Miller, Parker of Cascade, Petersen, Vanek. Total 11.

Absent and not voting: Ahern, Antrim, Armstrong, Cannon, Castles, Davey, Dougherty, Eggenberger, Horrigan, Laubach, Morrow, Rasmussen, Watson, Welcome, Williams, Winters. Total 16.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Dillavou in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 309 be amended as follows:

Amend Section 1 by striking out in line 11 the words "one-third of the subscribed stock, or by one-third of the members," and inserting in lieu thereof the words "a majority of the quorum of the stockholders at said meeting, or a majority of the quorum of the members."

Amend Section 1 by striking out in line 12 the words "one-third" which appears twice in said line and inserting in lieu thereof the words "two-thirds" in each instance;

and that the same do pass as amended;

That House Bill No. 237 do pass;

That House Bill No. 305 do pass;

That House Bill No. 316 be amended as follows:

Amend Section three by striking out the whole thereof and renumbering the subsequent sections accordingly; and that the same do pass as amended;

That House Bill No. 349 do pass;

That consideration of House Bill No. 340 be passed for the day;

That House Bill No. 250 do pass;

That House Bill No. 225 be amended as follows:

Amend Section 1 by striking out in line 7 the first word "of" and insert in lieu thereof the word "on"; and as amended, that the same do pass;

That House Bill No. 206 do pass;

That House Bill No. 354 do pass;

That consideration of House Bill No. 336 be passed for the day;

That House Bill No. 226 do pass;

That House Bill No. 222 do pass;

That House Bill No. 196 be amended as follows:

Amend Section 1 by striking out in line 24 the word "may" and insert in lieu thereof the word "shall"; in lines 26 and 27—strike out the words "If it is desired to have" and insert "To enable" and in line 27 by inserting after the word "judge" the word "to"; insert in line 28 after the word "allegation" the word "as" and in line 28 by striking out the words "that effect" and insert in lieu thereof "the value of the property and what contribution, if any, the surviving joint tenant made thereto," and that the same do pass as amended;

That House Bill No. 191 do pass.

DILLAVOU, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 81, 325, 334, Substitute House Bills Nos. 185, 37 and 137, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 98, 272, 174.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 do not pass, but that Substitute House Bill No. 351—A bill for an act entitled: "An act to amend Sections 3696, 3699 and 3719 of the Revised Codes of Montana, 1935, relating to open season for elk and deer; providing for closed season on certain game animals, prescribing penalties for violation of this act, repealing all acts and parts of acts in conflict herewith." do pass.

CANNON, Vice-Chairman.

Report adopted.

The Speaker appointed the conference committee to act with a like committee from the Senate on Senate Amendments to House Bill No. 47, to-wit: Burke, Aronson and LaBonte.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 121, 210, 232, 247, 308, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, and Bills are herewith returned to the House:

H. B. No. 62, by Freshman.

H. B. No. 86, by Williams.

I am directed by the Senate to inform your honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

S. B. No. 76, by Campbell.

S. B. No. 98, by Taylor.

S. B. No. 111, by Fish and Game Committee.

S. B. No. 82, by Baker (Dawson), Simmons.

S. B. No. 104, by Mulholland.

S. B. No. 121, by Robinson.

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the report of the Joint Conference Committee on Senate amendments to H. B. No. 47 and, in accordance therewith the President of the Senate appointed the following Senators to act as a Conference Committee with a like Committee from the House for the further consideration of said Senate amendments: Baker (Dawson); Simmons; Campbell.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Education, having had under consideration Senate Bill No. 63, respectfully report as follows: That Senate Bill No. 63 be concurred in.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Education, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 do not pass, but that Substitute House Bill No. 144—A bill for an act entitled: "An act to amend Section 1010-A and Section 1262.44-A Revised Codes of Montana 1935, as enacted by Chapter 217 of the session laws of the State of Montana, 1939, and to amend Sections 1013, 1262.81 and 1263.8 Revised Codes of Montana 1935, all relating to the attendance of elementary and high school pupils at schools outside of the districts and counties in which they reside: providing for the payment of transportation, or board, rent and tuition for such pupils, for the adoption of budgets therefor and for transfer of budget appropriations and apportionments to the school districts in which they attend school."

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Education, having had under consideration Senate Bill No. 64, respectfully report as follows: That Senate Bill No. 64 be concurred in.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Social Security, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 do pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Education, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 250, 234, 257, 211, 249, 356, 258, 206, 222, 305, 316.

SAYLOR, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees: all appropriation measures having been read at length:

Senate Bill No. 76: Introduced by Campbell: A bill for an act entitled: "An act to amend Section 5083.6 Revised Codes of Montana, 1935, relating to city budgets, providing for hearings thereon; the manner in which appro-

priations contained therein shall be made and amounts thereof determined, the time and manner of final adoption, the time and manner for fixing tax levies requiring copies thereof to be filed with the state examiner, and fixing penalty for failure to so file copies. Referred to Committee on Affairs of Cities.

Senate Bill No. 98: Introduced by Taylor: A bill for an act entitled: "An act providing for the parole of patients from the state insane asylum and for the revocation of such parole and providing for furnishing patients discharged or paroled from state asylum with clothes; and repealing Section 1422 of the Revised Codes of Montana, 1935," Referred to Committee on Judiciary.

Senate Bill No. 111: Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3656 of the Revised Codes of Montana for 1935, relating to deputy, fish and game wardens and appointments." Referred to Committee on Fish and Game.

Senate Bill No. 82: Introduced by Baker (Dawson) and Simmons: A bill for an act entitled: "An act to amend Sections 1431 and 1443 of the Revised Codes of Montana, 1935, of the political code as the same are amended by Chapter 117 of the session laws of 1939, relating to the apprehension, examination, bearing and commitment of insane persons and providing for their maintenance and for procedure prior to hearing or commitment, and repealing Sections 1432 and 1453 of the Revised Codes of Montana, 1935, of the political code, as amended by Chapter 117 of the session laws of 1939, and all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 104: Introduced by Mulholland: A bill for an act entitled: "An act amending Section 9429 of the Revised Codes of Montana, 1935, relating to the exemption of earnings of a judgment debtor." Referred to Committee on Judiciary.

Senate Bill No. 121: Introduced by Robinson: A bill for an act entitled: "An act to amend Section 1746.2 of the Revised Codes of Montana, 1935, relating to the penalty for operating a motor vehicle while in an intoxicated condition." Referred to Committee on Highways and Highway Transportation.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 216 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Castles, Clifford, Cole, Curran, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Nash, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 86.

Noes: Miller. Total 1.

Absent and not voting: Cannon, Carlson, Cummings, Dahlquist, Davey, Friedl, Holding, Murray, Nelson, Newell, Potter, Stevens, Tonn, Watson, Welcome. Total 15.

House Bill No. 131 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Cole, Dillavou, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hammond, Harken, Harrison, Hazelbaker, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Morrow, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Rasmussen, Reed, Roehl, Saylor, Scofield, Simpson, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Mr. Speaker. Total 61.

Noes: Banka, Beazley, Beck, Cannon, Clifford, Curran, Dahlquist, Eggenberger, Friedl, Gunderson, Hess, James, McGreevey, McKenna, Martin of Fergus, Mernin, Nash, O'Brien, Parker of Cascade, Petersen, Phelan, Rice, Scott, Spiegel, Tonn, Vanek, Zuck. Total 27.

Absent and not voting: Castles, Cummings, Davey, Dougherty, Hageman, Holding, Horrigan, Kirscher, Lippard, Murray, Nelson, Potter, Watson, Welcome. Total 14.

House Bill No. 290 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Clifford, Cole, Cummings, Curran, Dillavou, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Bjorneby, Castles, Dahlquist, Davey, Dougherty, Eggenberger, Gebhardt, Holding, Horrigan, Kirscher, Murray, Nelson, Potter, Rice, Tyler, Watson, Welcome. Total 17.

House Bill No. 303 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 88.

Noes: Gunderson, O'Connor. Total 2.

Absent and not voting: Cannon, Davey, Dougherty, Eggenberger, Holding, Murray, Nelson, O'Brien, Petersen, Potter, Watson, Welcome. Total 12.

House Bill No. 31 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Banka, Beazley, Beck, Bjorneby, Blenkner, Byrne, Carlson, Cole, Cummings, Dahl-

quist, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Goodwin, Gunderson, Hageman, Harken, Hazelbaker, Hess, James, LaBonte, Laubach, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Morrow, Oliver, Parker of Flathead, Parker of Cascade, Phelan, Reed, Saylor, Scott, Spiegel, Stevens, Tonn, Toomey, Vanek, Winters. Total 52.

Noes: Aronson, Ballard, Burke, Busch, Cannon, Castles, Clifford, Curran, Dillavou, Dougherty, Friedl, Gebhardt, Green, Hammond, Harrison, Horrigan, Hunter, Kemmis, Kirscher, Lehrkind, Lippard, Loughran, McGreevey, Mernin, Miller, Nash, Newell, O'Brien, O'Connor, Parker of Wibaux, Petersen, Potter, Rasmussen, Rice, Roehl, Scofield, Simpson, Toole, Tyler, White, Williams, Wilson, Zuck, Mr. Speaker. Total 44.

Absent and not voting: Davey, Holding, Murray, Nelson, Watson, Welcome. Total 6.

House Joint Memorial No. 6 passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 91.

Noes: Horrigan, Kemmis. Total 2.

Absent and not voting: Aronson, Cannon, Davey, Holding, Murray, Nelson, Rice, Watson, Welcome. Total 9.

Substitute House Bill No. 1 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Harken, Hazelbaker, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McKenna, Martin of Madison, Miller, Morrow, Nash, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Simpson, Stevens, Tonn, Toole, Toomey, Williams, Wilson, Zuck. Total 72.

Noes: Anderson, Green, Harrison, Horrigan, Lippard, Lynch, McDaniel, McGreevey, McMichael, Martin of Fergus, Mernin, O'Connor, Petersen, Rice, Scofield, Scott, Spiegel, Tyler, Vanek, White, Winters, Mr. Speaker. Total 22.

Absent and not voting: Cannon, Davey, Gunderson, Holding, Murray, Nelson, Watson, Welcome. Total 8.

House Bill No. 272 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Beazley, Beck, Bjerneby, Burke, Byrne, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Dillavou, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of

Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Winters, Zuck. Total 76.

Noes: Banka, Blenkner, Busch, Eggenberger, Green, Hageman, James, Lowe, Lynch, McMichael, Morrow, Petersen, Wilson, Mr. Speaker. Total 14.

Absent and not voting: Antrim, Armstrong, Cannon, Cole, Davey, Dougherty, Holding, Murray, O'Connor, Tyler, Watson, Welcome. Total 12.

House Bill No. 152 failed to pass by the following vote:

Ayes: Ahern, Anderson, Antrim, Banka, Beazley, Beck, Bjorneby, Cole, Dahlquist, Eggenberger, Flook, Forbregd, Friedl, Green, Gunderson, Hageman, Harken, Hess, James, Kemmis, Kirscher, Laubach, Lynch, McKenna, Martin of Madison, Martin of Fergus, Mernin, Morrow, Nelson, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Saylor, Scott, Simpson, Spiegel, Tonn, Vanek, Winters, Zuck. Total 44.

Noes: Allen, Anson, Armstrong, Aronson, Ballard, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cummings, Curran, Dillavou, Esp, Fewkes, Freshman, Gebhardt, Goodwin, Hammond, Harrison, Hazelbaker, Horrigan, LaBonte, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McGreevey, McMichael, Miller, Nash, Newell, O'Brien, Oliver, Parker of Flathead, Potter, Roehl, Scofield, Stevens, Toole, Toomey, White, Williams, Wilson, Mr. Speaker. Total 48.

Absent and not voting: Cannon, Davey, Dougherty, Holding, Hunter, Murray, O'Connor, Tyler, Watson, Welcome. Total 10.

House Bill No. 98 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Castles, Clifford, Cole, Curran, Dahlquist, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Banka, Beazley, Cannon, Carlson, Cummings, Davey, Dougherty, Holding, Murray, O'Connor, Parker of Flathead, Petersen, Tonn, Watson, Welcome. Total 15.

House Bill No. 174 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beck, Blenkner, Burke, Busch, Byrne, Clifford, Cole, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, James, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Petersen, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, Zuck, Mr. Speaker. Total 79.

Noes: Beazley, Mernin, Parker of Cascade. Total 3.

Absent and not voting: Ahern, Banka, Bjerneby, Cannon, Carlson, Castles, Cummings, Davey, Holding, Hunter, Kemmis, Lippard, O'Connor, Parker of Flathead, Phelan, Rice, Saylor, Watson, Welcome, Williams. Total 20.

House Bill No. 183 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Curran, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Goodwin, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Miller, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, White, Wilson, Winters, Zuck, Mr. Speaker. Total 78.

Noes: Beazley, Bjerneby, Dahlquist, Green, Gunderson, Hageman, Martin of Madison, Martin of Fergus, Mernin, Murray, Saylor, Vanek. Total 12.

Absent and not voting: Ahern, Cannon, Cummings, Davey, Forbregd, Holding, Morrow, Parker of Flathead, Parker of Cascade, Watson, Welcome, Williams. Total 12.

House Bill No. 88 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Curran, Dillavou, Eggenberger, Esp, Fewkes, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Vanek, White, Wilson, Winters, Zuck, Mr. Speaker. Total 81.

Noes: Kemmis. Total 1.

Absent and not voting: Ahern, Armstrong, Beazley, Cannon, Cummings, Dahlquist, Davey, Dougherty, Flook, Forbregd, Holding, Kirscher, Murray, Parker of Flathead, Rice, Tonn, Tyler, Watson, Welcome, Williams. Total 20.

House Bill No. 345 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Carlson, Castles, Clifford, Cole, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, Wilson, Winters, Zuck. Total 86.

Noes: Mr. Speaker. Total 1.

Absent and not voting: Beazley, Byrne, Cannon, Cummings, Curran, Davey, Holding, Morrow, Murray, Rice, Tyler, Watson, Welcome, White, Williams. Total 15.

House Bill No. 306 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Carlson, Castles, Curran, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Vanek, White, Wilson, Winters, Zuck, Mr. Speaker. Total 85.

Noes: Beazley, Eggenberger, Green, Tonn. Total 4.

Absent and not voting: Byrne, Cannon, Clifford, Cole, Cummings, Dahlquist, Davey, Holding, Horrigan, Tyler, Watson, Welcome, Williams. Total 13.

House Joint Memorial No. 10 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Curran, Dougherty, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Harken, Hazelbaker, Hess, Horrigan, James, Kemmis, Kirscher, Laubach, Lehrkind, Lynch, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Winters, Zuck, Mr. Speaker. Total 69.

Noes: Dillavou, Eggenberger, Esp, Fewkes, Gebhardt, Hageman, Hammond, Harrison, Hunter, Lowe, McDaniel, Martin of Madison, Miller, Morrow, Newell, O'Connor, Scofield, Simpson. Total 18.

Absent and not voting: Antrim, Cole, Cummings, Dahlquist, Davey, Holding, LaBonte, Lippard, Loughran, Parker of Cascade, Tyler, Watson, Welcome, Williams, Wilson. Total 15.

House Bill No. 250 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, Zuck. Total 85.

Noes: Beazley, Miller. Total 2.

Absent and not voting: Armstrong, Cannon, Cole, Cummings, Davey, Hageman, Holding, Horrigan, Lippard, Parker of Wibaux, Parker of Cascade, Watson, Welcome, Williams, Mr. Speaker. Total 15.

House Bill No. 234 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Ballard, Banka, Beazley, Bjorneby, Cannon, Clifford, Cummings, Dahlquist, Dillavou, Dougherty, Freshman, Gebhardt, Goodwin, Gunderson, Harken, Hess, Hunter, Loughran, McGreevey, McKenna, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Reed, Rice, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Zuck. Total 47.

Noes: Aronson, Beck, Blenkner, Busch, Byrne, Carlson, Eggenberger, Esp, Fewkes, Flook, Forbregd, Green, Hageman, Hammond, Harrison, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Newell, O'Connor, Oliver, Parker of Flathead, Potter, Roehl, Saylor, Scofield, Simpson, Wilson, Winters. Total 38.

Absent and not voting: Anson, Armstrong, Burke, Castles, Cole, Curran, Davey, Friedl, Hazelbaker, Holding, Lehrkind, Lippard, Rasmussen, Watson, Welcome, Williams, Mr. Speaker. Total 17.

House Bill No. 206 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, Zuck. Total 84.

Noes: Beazley, Green, Murray, O'Brien, Saylor. Total 5.

Absent and not voting: Anderson, Armstrong, Cole, Davey, Harrison, Holding, O'Connor, Rasmussen, Rice, Watson, Welcome, Williams, Mr. Speaker. Total 13.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 364, respectfully report as follows: That House Bill No. 364 do not pass, but that Substitute House Bill No. 364 introduced by Committee on Fish and game,

A bill for an act entitled: "An act to amend Sections 3683, 3694 of the Revised Codes of Montana of 1935, and to amend Sections 3685 and 3685.3 of the Revised Codes of Montana of 1935, as amended by Chapter 174 of the session laws of Montana of 1939, relating to classes of and fees for fish and game licenses; relating to restrictions on the manner of taking fish and game and powers of the commission relating thereto, and repealing all acts and parts of acts in conflict herewith."

do pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 322 respectfully report as follows: That House Bill No. 362 be amended as follows:

Amend Section 1 of the original bill by striking out the period in line 13 and inserting in lieu thereof the words "and who shall fairly represent

the several geographical sections of the State of Montana; provided, that at least two (2) of such members shall reside in what is commonly known as the Eastern part of the State and at least three (3) shall reside in what it commonly known as the Western part of the State" and by striking out in line 32 of the original bill the word "Five Hundred" and inserting in lieu thereof the word "One Thousand." Amend Section 2 of the original bill by striking in line 1 on page 5 the "comma" after the word "close" and inserting and adding in lieu thereof the words: "except as otherwise provided by law". And inserting after the word "law" a comma.

Amend Section 4 by striking lines 24, 25, 26, 27, 28, 29 and 30 of page 7 of the original bill and inserting in lieu thereof the words: "The commission shall have the power to grade the deputy fish and game wardens according to their merit and ability into first grade and second grade. Deputy fish and game wardens of the first grade shall receive a salary not exceeding Two Thousand One Hundred Dollars (\$2100.00) per annum and those of the second grade shall receive a salary not exceeding Eighteen Hundred Dollars (\$1800.00) per annum, and as so amended do pass.

CANNON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Insurance, having had under consideration Senate Bill No. 62, respectfully report as follows: That Senate Bill No. 62 be amended as follows:

Amend the title of the bill in line nine (9) by striking out the word "EXCLUSIVELY" and in line seventeen (17) after the word "COMPANIES" insert the words "NOR TO COMPANIES WHO SOLICIT INSURANCE BY SALARIED REPRESENTATIVES TO WHOM AND UPON WHICH NO COMMISSION IS PAID"

And amend the bill: in Section 2, line 7, after the word "insurance" by striking out the word "exclusively" and in line nine (9) after the word "written" insert the words "Except as hereinafter provided," and in Section 6, line thirty (30) by striking out the word "exclusively" and that the bill as amended be concurred in.

RICE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Insurance, having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 do pass.

RICE, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, February 18th, 1941, at 10:30 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-FOURTH DAY

House of Representatives,
Helena, Montana,
February 18, 1941.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.
Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson and Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Forty-third Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Military Affairs, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 do not pass.

CLIFFORD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Education, having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 do pass.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Education, having had under consideration House Bill No. 329, respectfully report as follows: That House Bill No. 329 be referred to the Appropriations Committee.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Development of Publicity, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 do not pass.

BEAZLEY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 181, respectfully report as follows: That House Bill No. 181 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 315, respectfully report as follows: That House Bill No. 315 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 170, 289, 338, Substitute House Bills 100, 139, 363, House Joint Memor-

ial No. 12, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Kirscher, duly seconded and carried, that House Bill No. 336 be taken from General Orders and referred to the Committee on Highway Transportation.

It was moved by Byrne, duly seconded and carried, that business under Third Reading be deferred until the afternoon session.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Rasmussen in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of House Bill No. 267 be passed for the day;

That consideration of House Bill No. 287 be passed for the day;

That House Bill No. 253 do pass;

That House Bill No. 235 be amended as follows:

Amend Section 16 by striking out the period at the end thereof and by adding the following: "but nothing herein contained shall be construed to repeal Chapter 194 of the Session Laws of 1939."

Amend by adding a new section as follows: "Section 18. Nothing in this act shall be construed as applying to privately owned electrical construction not used in the sale of electricity to others than the owner or owners of such construction."

And as amended, that the same do pass;

That House Bill No. 248 do pass;

RASMUSSEN, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Rasmussen in the Chair. Committee arose.

House Resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 340 be amended as follows:

Amend Section 1 as follows: Strike out in lines 6 and 7 the words and figures "six thousand (6,000)" and insert in lieu thereof the words and figures "seven thousand (7,000)"; strike out in lines 7 and 8 the words and figures "three thousand (3,000)" and insert in lieu thereof the words and figures "three thousand five hundred (3,500)";

Amend Section 2 as follows:

1. Strike out of line 6 the word "Two" and insert the word "One";
 2. Strike out of line 7 the word "Two" and insert the word "One";
 3. Strike out in line 10 the word "Seven" and insert the word "Six";
 4. Strike out in line 12 the word "Two" and insert the word "One";
 5. Strike out in line 18 the word "Four" and insert the word "Three";
 6. Strike out of line 28 the word "Four" and insert the word "Three";
 7. Strike out in line 35 the word "Five" and insert the word "Four";
 8. Strike out in line 45 the word "Two" and insert the word "One";
 9. Strike out in line 46 the word "Two" and insert the word "One";
 10. Strike out of line 50 the word "Nine" and insert the word "Eight";
 11. Strike out in line 56 the word "Three" and insert the word "Two";
 12. Strike out in line 59 the word "Seven" and insert the word "Six";
- And that the same do pass as amended.

RASMUSSEN, Chairman.

It was moved by Rasmussen, duly seconded, that the report of the Committee of the Whole be adopted.

A Call of the House was demanded by the required number, and the Clerk called the roll. A warrant was issued by the Speaker to the Sergeant-at-Arms instructing him to bring the absentee members before the bar of the House. Progress having been made, on motion, duly seconded and carried, further Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number, and motion to adopt the report of the Committee of the Whole carried by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Blenkner, Burke, Busch, Byrne, Castles, Cole, Cummings, Curran, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Gebhardt, Green, Hammond, Harken, Harrison, Horriggan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Morrow, Newell, O'Connor, Oliver, Parker of Flathead, Potter, Roehl, Scofield, Scott, Simpson, Toole, Toomey, Williams, Wilson, Winters, Mr. Speaker. Total 55.

Noes: Ahern, Ballard, Banka, Beazley, Beck, Bjerneby, Cannon, Carlson, Dahlquist, Davey, Freshman, Friedl, Goodwin, Gunderson, Hageman, Hazelbaker, Holding, Hess, Loughran, McGreevey, McKenna, Martin of Fergus, Mernin, Nash, Nelson, O'Brien, Parker of Wibaux, Petersen, Phelan, Rasmussen, Reed, Rice, Spiegel, Stevens, Tonn, Tyler, Vanek, White, Zuck. Total 39.

Absent and not voting: Clifford, Eggenberger, Flook, Murray, Parker of Cascade, Saylor, Watson, Welcome. Total 8.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 354, 196, 226, 349, 309.

SAYLOR, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The following members were excused: Murray and Phelan.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 295, 311, 228, 346, 177, 319, 323 and Substitute House Bill No. 337, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 be printed and placed on General Orders.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 82, respectfully report as follows: That Senate Bill No. 82 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 277, respectfully report as follows: That House Bill No. 277 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 61, respectfully report as follows: That Senate Bill No. 61 be amended by striking therefrom the whole of Section 3 thereof and as so amended be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration House Bill No. 353, respectfully report as follows: That House Bill No. 353 do not pass. But that Substitute House Bill 353: A bill for an act entitled: "An act to amend Section 3701 of the Revised Codes of Montana of

1935 relating to open and closed season for grouse and prescribing bag limits therefor." Do pass.

CANNON, Chairman (Acting).

Report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 10, "Providing for disposition of moneys received from drivers' license fees," etc.

SAM C. FORD,
Governor.

MOTIONS AND RESOLUTIONS

It was moved by McGreevey, duly seconded, that the House reconsider its action on House Bill No. 152.

On substitute motion, it was moved by Armstrong, duly seconded, that the motion by McGreevey to reconsider the House's action on House Bill No. 152 be indefinitely postponed.

A Call of the House was demanded by the required number. After the Clerk called the roll, on motion, duly seconded and carried, Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number and motion by Armstrong to indefinitely postpone motion by McGreevey to reconsider action of House Bill No. 152 carried, by the following vote:

Ayes: Allen, Anson, Armstrong, Aronson, Ballard, Blenkner, Burke, Busche, Byrne, Carlson, Castles, Cummings, Dillavou, Eggenberger, Esp, Fewkes, Flook, Freshman, Gebhardt, Hageman, Hammond, Hazelbaker, Horrigan, Kemmis, LaBonte, Lehrkind, Loughran, Lowe, McDaniel, McMichael, Miller, Nash, Newell, O'Connor, Oliver, Parker of Flathead, Potter, Roehl, Scofield, Simpson, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Harrison. Total 49.

Noes: Ahern, Anderson, Antrim, Banka, Beazley, Beck, Bjerneby, Cannon, Clifford, Cole, Curran, Dahlquist, Davey, Dougherty, Forbregd, Friedl, Goodwin, Green, Gunderson, Harken, Hess, James, Kirscher, Laubach, Lippard, Lynch, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Morrow, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Rasmussen, Reed, Rice, Saylor, Scott, Spiegel, Tonn, Vanek, Zuck. Total 46.

Absent and not voting: Holding, Hunter, Murray, Phelan, Watson, Welcome, Mr. Speaker. Total 7.

It was moved by Ahern, duly seconded and carried, that House Bill No. 267 be placed on General Orders.

It was moved by Toole, duly seconded and carried, that consideration of Substitute House Bill No. 142 be passed for the day.

It was moved by Tonn, duly seconded and carried, that House Bill No. 287 be placed on General Orders.

It was moved by Byrne, duly seconded and carried, that the House defer business under Third Reading until the evening session.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Ahern in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 287 do pass;

That House Bill No. 267 be amended as follows:

Amend Section 1 by striking out in lines 18 and 19 the words "waters originating in this state" and inserting in lieu thereof the words "water resources of Montana" and that the same do pass as amended;

That House Bill No. 194 be amended as follows:

Amend Section 1 by adding after the word "unclassified" the words "or field run" in line 12;

Amend Section 1 in line 1 by adding after the figures "1935", the following "as amended by Chapter 71 of the Session Laws of 1937,";

And that the same do pass as amended.

AHERN, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Laubach in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 229 do pass;

That House Joint Memorial No. 11 do pass;

That House Bill No. 59 do pass;

That Substitute House Bill No. 37 do pass;

That House Bill No. 81 do pass;

That House Bill No. 121 do pass;

That House Bill No. 210 do pass;

That House Bill No. 232 do pass;

LAUBACH, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 324, 238, 366, 203, beg leave to report that the same have this date been returned from the printer correctly printed.

Report adopted.

BECK, Chairman.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 237, 225, 253, 256, 248, 191.

SAYLOR, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:15 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 be re-referred to the Committee on Public Morals, Charities and Reforms.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do not pass, but that Substitute House Bill No. 279: A bill for an act entitled: "An act to amend Section 1617 of the Revised Codes of Montana of 1935, relating to the road tax levy and providing that a levy of six mills on the dollar of taxable property may be levied for road, street and alley purposes by incorporated cities and towns." Do pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 321, respectfully report as follows: That House Bill No. 321 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 269, respectfully report as follows: That House Bill No. 269 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under con-

sideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 275, respectfully report as follows: That House Bill No. 275 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 240, respectfully report as follows: That House Bill No. 240 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 186, respectfully report as follows: That House Bill No. 186 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 135, respectfully report as follows: That House Bill No. 135 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 245, respectfully report as follows: That House Bill No. 245 do not pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 be amended to read as follows: By striking the words "either or both" in Section 2, Subsection B and substituting in lieu thereof the words "beer and malt liquor, either or both, and not exceeding 8% alcohol by weight." Amend Section 7, line 13 by striking after the word "area", the words "and if upon investigation", and inserting in lieu thereof the following: "and may demand surrender of any invoice from any licensee in the course of the investigation and if". Amend Section 15, line 15 by striking the period after the word "beverages" and adding "in the administration of this act". Amend Section 3, line 7 by striking out after the word "Montana" the words "or sells beer and malt beverages in the State of Montana through a duly licensed wholesaler or retailer of beer and malt beverages." And as amended, do pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 be amended as follows: Amend Section 1, Subsection (A) in line 30 by inserting after the word "wholesale" "except beer and malt liquors not in excess of 8% alcohol by weight"; amend Section 2, line 23 by inserting after the word "ordered" the words "except grain alcohol", and in line 26 by inserting after the word "expeditious" the word "manner", and that the same, as amended, do pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 262, respectfully report as follows: That House Bill No. 262 be amended as follows: Amend Section 1, subsection J in line 17 by striking the words and figures "seven hundred fifty (750)" and inserting in lieu thereof the words "five hundred (500)", and by striking in line 18 the words and figures "seven hundred fifty (750)" and inserting in lieu thereof the words and figures "five hundred (500)", and as amended do pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Morals, having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 do not pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Apportionment and Representation, having had

under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5 do not pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Apportionment and Representation, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 do not pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker:

We, your majority Committee on Appropriations, having had under consideration House Bill No. 367, respectfully report as follows: That House Bill No. 367 do not pass.

GOODWIN,
AHERN,
ANSON,
GREEN
GUNDERSON,
HORRIGAN,
JAMES,
KIRSCHER,
RICE,
SIMPSON,
DOUGHERTY.

Mr. Speaker:

We, your Minority Committee on Appropriations, having had under consideration House Bill No. 367 respectfully report as follows: That House Bill No. 367 do pass.

WILLIAMS,
HELDING,
ARMSTRONG.

It was moved by Dougherty, duly seconded and carried, that the report of the majority be adopted.

On substitute motion, it was moved by Cannon, duly seconded and carried, that the report of the minority be adopted.

Mr. Speaker:

We, the majority of your committee on Apportionment and Representation, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 do not pass.

FRIEDL,
McDANIEL,
CASTLES,
KEMMIS,
DILLAVOU,
VANEK,
LYNCH.

Mr. Speaker:

We, the minority of your committee on Apportionment and Representation, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 do pass.

SPIEGEL,
STEVENS.

It was moved by Friedl, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by Spiegel, duly seconded, that the report of the minority be adopted.

As a substitute motion for all motions pending, it was moved by O'Connor, duly seconded and carried, that the motion by Spiegel to adopt the report of the minority of the Committee on Apportionment and Representation on House Bill No. 134 be laid on the table.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 268, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 10:45 A. M. House Bills Nos. 43, 108, 169; House Joint Memorial No. 5.

COLE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, and the same are herewith returned to the House: H. B. No. 68, by Morrow; H. B. No. 111, by Lippard; H. B. No. 172, by James (by request).

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence: S. B. No. 129, by Fish and Game Committee; S. B. No. 124, by Fish and Game Committee; Sub. S. B. No. 78, by Sanitary Affairs Committee; Senate Joint Memorial No. 13, by Nutt, Senate Joint Memorial No. 14, by Campbell; Senate Joint Memorial No. 16, by Fish and Game Committee; Senate Joint Memorial No. 12, by Haight and Robinson; Senate Bill No. 105, by Alvord; Senate Bill No. 176, by Simmons; Senate Bill No. 177, by Campbell, et al; S. B. No. 91, by Fowlie and Alvord.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees; all appropriation measures having been read at length:

Senate Bill No. 129: Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3701 of the Revised Codes of Montana of 1935, relating to open and closed season on game birds and penalties for violation of this act." Referred to Committee on Fish and Game.

Senate Bill No. 124: Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3694 of the Revised Codes of Montana, 1935, relating to restrictions of manner of taking and

possessing fish and game and powers of commission relating thereto." Referred to Committee on Fish and Game.

Substitute Senate Bill No. 78: Introduced by Committee on Sanitary Affairs: A bill for an act entitled: "An act relating to the use of cadavers for the teaching of anatomical science in the State of Montana, and providing for the procurement of use of said cadavers, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health and Sanitary Affairs.

Senate Joint Memorial No. 13: Introduced by Nutt: A Senate Joint Memorial entitled: "A Senate Joint Memorial requesting Congress for the enactment of legislation which gives to the Congress of the United States the right and sole authority to declare and designate navigable rivers or waters of the United States; such authority shall not be subject to the jurisdiction of the chief of army engineers, the secretary of war, or the federal power commission, said rivers or parts thereof, and recognizing the prior rights of states to the waters of navigable streams for irrigation purposes." Referred to Committee on Federal Relations.

Senate Joint Memorial No. 14: Introduced by Campbell: A Memorial entitled: "A Memorial to the Honorable Franklin D. Roosevelt, President of the United States; the Honorable Henry L. Stimson, Secretary of War; the Honorable Burton K. Wheeler, the Honorable James E. Murray, Senators from the State of Montana; the Honorable James F. O'Connor and the Honorable Jeannette Rankin, members of the House of Representatives from the State of Montana; relating to the utilization of facilities at Fort Missoula, Montana." Referred to Committee on Federal Relations.

Senate Joint Memorial No. 16: Introduced by Committee on Fish and Game: A Memorial entitled: "A memorial in relation to the hours of open season on and possession of certain migratory game birds within the State of Montana." Referred to Committee on Fish and Game.

Senate Joint Memorial No. 12: Introduced by Haight and Robinson: A Senate Joint Memorial entitled: "A Senate Joint Memorial requesting consideration for persons engaged in farming or the livestock business within the Fort Peck reservoir purchase area." Referred to Committee on Fish and Game.

Senate Bill No. 105: Introduced by Alvord: A bill for an act entitled: "An act to amend Section 6305, Revised Codes of Montana, 1935, relating to fraternal benefit societies and the definition thereof." Referred to Committee on Judiciary.

Senate Bill No. 176: Introduced by Simmons: A bill for an act entitled: "An act to amend Section 5005 of the Revised Codes of Montana, 1935, relating to election and terms of aldermen." Referred to Committee on Privileges and Elections.

Senate Bill No. 177: Introduced by Campbell, Simmons and Alvord: A bill for an act entitled: "An act to amend Section 9117 of the Revised Codes of Montana, 1935, relating to publication of summons and to provide for the service by publication of summons in cases where unknown persons are made parties defendant." Referred to Committee on Judiciary.

Senate Bill No. 91: Introduced by Fowlie and Alvord: A bill for an act entitled: "An act to amend Section 6156 of the Revised Codes of Montana of 1935; relating to the publication of the state auditor's report and certificate as to insurance companies." Referred to Committee on Judiciary.

THIRD READING

House Bill No. 211, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Saylor, Scofield, Scott, Simpson, Stevens, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck. Total 81.

Noes: Mernin, Nelson, Tyler, Mr. Speaker. Total 4.

Absent and not voting: Ahern, Allen, Antrim, Burke, Cannon, Dahlquist, Goodwin, Kirscher, Lippard, Murray, Phelan, Rice, Roehl, Spiegel, Watson, Welcome. Total 16.

Passed: Tonn. Total 1.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker:

We, your Committee on Joint Conference, having had under consideration House Bill No. 47, respectfully report as follows: That the House accedes to the Senate Amendments.

BURKE,
LaBONTE,
ARONSON,
For the House.

BAKER,
CAMPBELL,
SIMMONS,
For the Senate.

On motion of Lehrkind, duly seconded, the Conference Committee report on Senate Amendments to House Bill No. 47 was adopted by the following vote:

Ayes: Ahern, Anderson, Anson, Armstrong, Ballard, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Mernin, Miller, Morrow, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Potter, Rasmussen, Reed, Rice, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Aronson, Curran. Total 74.

Noes: Holding, Hess, Kemmis, McKenna, Martin of Fergus, Nash, Parker of Cascade, Petersen, Mr. Speaker. Total 9.

Absent and not voting: Allen, Antrim, Banka, Beazley, Burke, Clifford, Dahlquist, Goodwin, Lippard, Murray, Nelson, Newell, Phelan, Roehl, Saylor, Spiegel, Watson, Welcome, Zuck. Total 19.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Williams in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 247 do pass;

That House Bill No. 300 do pass;

That House Bill No. 308 do pass;

That consideration of House Bill No. 325 be passed temporarily;

That consideration of House Bill No. 334 be passed for the day;

That House Bill No. 325 do pass;

That House Joint Memorials Nos. 8 and 9 do pass;

The consideration of House Bill No. 104 be passed for the day;

That House Bill No. 327 be amended as follows:

Amend Section 1 by striking all of Section 1 and inserting in lieu thereof the following: "Section 1. The term "concentrated commercial feeding stuffs" shall be held to include all materials used for feeding animals or birds including condimental stock foods, patented and proprietary stock foods claimed to possess nutritive value or medicinal properties, except the following:

(a) Unmixed whole seeds or grains; as defined by U. S. grain standards.

(b) The unmixed meals made directly from and consisting of the entire grains of corn, wheat, rye, barley, oats, buckwheat, flaxseed, kafir, millo, and other seeds or grains.

(c) Whole hays, straws, cottonseed hulls, clover and silage when unmixed with other materials.

Provided that nothing in this act shall be construed as prohibiting persons engaged within the State of Montana in the business of manufacturing flours and malt from selling their own manufacture of mill feeds or malt sprouts without complying with the provisions of Sections 2 and 4 of this act."

Amend Section 5 by striking the whole thereof and inserting in lieu thereof the following:

"Section 5. Each and every manufacturer, importer, jobber, firm, association, corporation, or persons selling, offering or exposing for sale, or distributing any concentrated commercial feeding stuffs as defined in Section 1 of this act shall pay annually a registration fee of \$1.00 for each brand registered. For the purpose of defraying the expenses connected with the sampling, inspection and analysis of concentrated commercial feeding stuffs sold or offered for sale within this state and for other items incident to carrying out the provisions of this act, all corporations, firms or persons engaged in the manufacture of concentrated commercial feeding stuffs sold in this state shall on or before the first day of August of each year, make statement under oath, in due form of law, which shall be filed with the Commissioner of Agriculture and which shall set forth the number of net tons of such concentrated commercial feeding stuffs sold or distributed in this state during the preceding calendar year; and upon such statement shall pay to the State Treasurer the sum of five cents (5c) per net ton of two thousand pounds. Each applicant for a certificate of registration shall include in such application a permit granting to the Commissioner of Agriculture, or his duly designated representative, permission to verify from applicant's records such applicant's statement of tonnage."

After Section 5 insert a new section to be designated Section 5-A reading as follows:

"Section 5-A. The registration and fee as provided in this Section shall not apply to any feed mixed according to a formula furnished by a consumer; provided, that all such packages of feeds mixed according to a formula furnished by the consumer shall be plainly marked or tagged on the outside of the package with the words "Mixed-to-Order", together with a statement of the name and amount of each ingredient contained therein.

Such sales shall be subject to an inspection tax of five cents (5c) per ton. For the purpose of computing or ascertaining the amount of this inspection tax, a statement, under oath, shall be filed on or before the 1st day of August of each year with the Commissioner of Agriculture giving the total number of tons sold during the preceding calendar year in this state.

If any person, firm or corporation subject to the provisions of this subsection shall fail to label the packages as provided for or shall fail to pay the inspection taxes within thirty days after the close of the period, for which such tax is due, such person, firm or corporation shall be deemed guilty of a misdemeanor and upon conviction thereof, punished by a fine for each violation of not less than twenty-five dollars (\$25.00) and not more than two hundred dollars (\$200.00)."

Amend Section 9 in line 3 by striking the word "district" and insert the word "county";

Amend Section 10 by striking in line 2 the words "merchandise, livestock, securities, service, or anything" and insert "concentrated commercial feeding stuffs"; and amend line 11 by striking the words "merchandise, livestock, securities, service, or anything" and insert "such concentrated commercial feeding stuffs";

And that House Bill No. 327 do pass as amended.

WILLIAMS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Hammond, duly seconded and carried, that consideration of Substitute House Bills Nos. 137 and 185 be made a Special Order of Business tomorrow evening, Wednesday, February 19th, at 8:00 o'clock P. M.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday, February 19, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNEN, Chief Clerk.

FORTY-FIFTH DAY

House of Representatives,
Helena, Montana,
February 19, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: James, Phelan, Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Forty-fourth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 84, respectfully report as follows: That Senate Bill No. 84 be concurred in.

RICE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 22—Relating to the rate of interest paid on county warrants.

H. B. No. 33—Relating to relief from mortgage foreclosures and from execution sales of real estate.

H. B. No. 39—Relating to piecemeal redemption of real property sold for taxes.

H. B. No. 44—Relating to computing deductions on net proceeds tax in production of petroleum and natural gas.

H. B. No. 58—Relating to matters contained in judgment roll and bill of exceptions.

H. B. No. 76—Relating to renewal of leases on State lands.

H. B. No. 84—Prescribing hours of labor for persons employed in or about public amusements.

H. B. No. 93—Relating to transportation, possession and disposal of game animals.

H. B. No. 95—Relating to limitation of loans on real estate by banks.

H. B. No. 99—Relating to State Insane Asylum refunding bonds.

H. B. No. 107—Relating to creation and operation of Housing authorities.

H. B. No. 108—Relating to power of County Commissioners to establish Youth Homes.

H. B. No. 169—Relating to weights and measures.

H. J. M. No. 5—Relating to Farmers' Wheat Certificate Bill.

SAM C. FORD,
Governor.

MOTIONS AND RESOLUTIONS

It was moved by Clifford, duly seconded and carried, that the House reconsider its action in adopting an adverse committee report on House Bill No. 252.

It was moved by Clifford, duly seconded and carried, that House Bill No. 252 be re-referred to the Committee on Military Affairs.

Speaker Pro Tem in the Chair.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 191 was passed by the following vote:

Ayes: Anson, Antrim, Ballard, Banka, Beck, Bjorneby, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Harken, Harrison, Holding, Hess, Hunter, Laubach, Lehrkind, Loughran, Lowe, McGreevey, McKenna, McMichael, Martin of Fergus, Morrow, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Rasmussen, Rice, Scott, Spiegel, Toomey, Tyler, Vanek, White, Winters, Zuck, Mr. Speaker. Total 57.

Noes: Blenkner, Busch, Esp, Green, Hammond, Kemmis, Lippard, Lynch, McDaniel, Martin of Madison, Miller, Roehl, Scofield, Simpson, Williams, Wilson. Total 16.

Absent and not voting: Ahern, Allen, Anderson, Armstrong, Aronson, Beazley, Burke, Curran, Flook, Hageman, Hazelbaker, James, Kirscher, LaBonte, Mernin, Murray, O'Connor, Parker of Flathead, Phelan, Potter, Reed, Saylor, Stevens, Tonn, Toole, Watson, Welcome, Horrigan. Total 28.

Passed: Fewkes. Total 1.

House Bill No. 196 was passed by the following vote:

Ayes: Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Beck, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Potter, Rasmussen, Rice, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 73.

Noes: Gunderson, Hess, Kemmis, Tyler. Total 4.

Absent and not voting: Ahern, Anderson, Banka, Beazley, Burke, Cannon, Dahlquist, Horrigan, Hunter, James, Kirscher, Lehrkind, McDaniel, McKenna, Mernin, Murray, Petersen, Phelan, Reed, Saylor, Tonn, Toole, Toomey, Watson, Welcome. Total 25.

House Bill No. 222 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Bjorneby, Blenkner, Busch, Castles, Cole, Cummings, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Vanek, White, Williams, Wilson, Winters, Zuck. Total 69.

Noes: Beck, Cannon, Dahlquist, Hess, Lippard, Lynch, Nash, Newell, Petersen. Total 9.

Absent and not voting: Ahern, Beazley, Burke, Byrne, Carlson, Clifford, Curran, Holding, Horrigan, Hunter, James, Kirscher, Mernin, Murray, Parker of Flathead, Phelan, Reed, Tonn, Toole, Toomey, Tyler, Watson, Welcome, Mr. Speaker. Total 24.

House Bill No. 225 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Bjorneby, Burke, Busch, Byrne, Carlson, Castles,

Cole, Cummings, Curran, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Stevens, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 79.

Noes: Beck, Cannon, Dahlquist, Hess, Nelson, Spiegel. Total 6.

Absent and not voting: Blenkner, Clifford, Dillavou, Holding, Horrigan, James, Lehrkind, Mernin, Murray, Parker of Flathead, Phelan, Saylor, Tonn, Toole, Watson, Welcome, Mr. Speaker. Total 17.

House Bill No. 226 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Simpson, Spiegel, Stevens, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Scott. Total 79.

Noes: Gunderson, Holding, Hess. Total 3.

Absent and not voting: Burke, Clifford, Cole, Dahlquist, Dougherty, Horrigan, James, Lehrkind, Lynch, Mernin, Murray, O'Brien, Petersen, Phelan, Reed, Tonn, Toole, Watson, Welcome, Mr. Speaker. Total 20.

It was moved by Byrne, duly seconded and carried, that further consideration of Third Reading be passed until the Evening Session.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Hammond in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 366 be amended as follows:

Amend Section 2, lines 5 and 6 by striking out the words and figures "one million two hundred fifty thousand dollars \$1,250,000.00" and insert "two million dollars, \$2,000,000.00";

Amend Section 1, line 3 by striking the words and figures "two million three hundred six thousand five hundred dollars, \$2,306,500.00", and insert "two million nine hundred ninety-six thousand five hundred dollars, \$2,996,500.00";

Amend Section 2, in lines 22 and 23 by striking "one hundred eight-five thousand dollars, \$185,000.00" and insert "one hundred twenty-five thousand dollars, \$125,000.00";

Amend Section 3, line 3 by striking the words and figures "two million three hundred six thousand five hundred dollars, \$2,306,500.00 and insert "two million nine hundred ninety-six thousand five hundred dollars, \$2,996,500.00";

Amend Section 4, lines 4 and 5 by striking the words and figures "one million two hundred fifty thousand dollars, \$1,250,000.00" and insert "two million dollars, \$2,000,000.00";

And in lines 21 and 22 by striking the words and figures "one hundred eighty-five thousand dollars, \$185,000.00" and insert the words and figures "one hundred twenty-five thousand dollars, \$125,000.00";

And that the same do pass, as amended;

That Substitute House Bill No. 142 do pass;

That Substitute House Bill No. 337 do pass;

HAMMOND, Chairman.

It was moved by Hammond, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Dougherty, duly seconded, that House Bill No. 366 be segregated from the report of the Committee of the Whole.

A roll call, to be entered in the Journal, was requested by the required number, and motion to segregate carried by the following vote:

Ayes: Ahern, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Blenkner, Burke, Busch, Byrne, Carlson, Cole, Dillavou, Dougherty, Esp, Flook, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hazelbaker, Holding, Hess, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lynch, McDaniel, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Simpson, Tonn, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, McMichael. Total 64.

Noes: Anderson, Beazley, Bjorneby, Cannon, Castles, Clifford, Cummings, Curran, Eggenberger, Fewkes, Forbregd, Goodwin, Harken, Kemmis, Lowe, McGreevey, McKenna, Mernin, Murray, Oliver, Parker of Cascade, Saylor, Scott, Spiegel, Stevens, White. Total 26.

Absent and not voting: Allen, Dahlquist, Davey, Gunderson, Horrigan, James, Phelan, Toole, Watson, Welcome, Mr. Speaker. Total 11.

Passed: Harrison. Total 1.

Whereupon, report of the Committee of the Whole was adopted, as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 202, 298, 283, and Substitute House Bill No. 351, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 340, 210, 235, 121, 59, 287, 267, and House Joint Memorials Nos. 11 and 8.

SAYLOR, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, unanimously, that Paragraph 2 of House Rule No. 37 be suspended, suspension to take effect immediately.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 be amended as follows:

Amend the title by striking out in line five (5) after the word "the" the words "department of agriculture" and inserting in lieu thereof the words "Livestock Commission."

Amend Section 1, in line 13 after the word "re-shipment" by striking out the period and inserting in lieu thereof a comma and adding the words "and this term shall be construed to include 'livestock markers' as defined by Section 2, Chapter 52, Session Laws of 1937." And strike out the balance of the Section.

Amend Section 2, in line 18 after the word "the" by striking out the words 'Department of Agriculture' and inserting in lieu thereof the words 'Livestock Commission'.

Amend Section 3, in line 24 after the word 'the' by striking out the words 'Department of Agriculture' and inserting in lieu thereof the words "Livestock Commission" and in line 26, after the word "seller", insert the words "or in case of licensed yard company the cost of weighing to be paid by such stockyard market," and in line 27 after the word "said" strike out the word "Department" and insert in lieu thereof the word "Commission" and in line 30 strike out the word "Department" and insert in lieu thereof the word "Commission".

Amend Section 7, in line 15, after the word "The" by striking out the words "Department of Agriculture" and inserting in lieu thereof the words "Livestock Commission," and in line 19 by striking out after the word "the" the words "Department of Agriculture" and inserting in lieu thereof the words "Livestock Commission" and in line 25 by striking out after the word "the" the words "Department of Agriculture" and inserting in lieu thereof the words "Livestock Commission."

And as amended do pass.

RICE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 50, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 38—Providing for credit on personal income tax.

H. B. No. 43—Relating to exemptions and change of status of taxpayer.

H. B. No. 91—Relating to payment of delinquent installments on certificates of purchase of State lands.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the report of the Joint Conference Committee on Senate amendments to H. B. No. 47.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Dougherty, duly seconded and carried, that consideration of House Bill No. 366 be passed for this legislative day.

It was moved by Curran, duly seconded and carried, that consideration of Substitute House Bill No. 100 be passed for this legislative day.

It was moved by O'Connor, duly seconded and carried, that the House reconsider its action making Substitute House Bills Nos. 137 and 185 a Special Order of Business for eight o'clock this evening.

It was moved by Morrow, duly seconded, that the House reconsider its action on House Bill No. 340.

On substitute motion, it was moved by Mernin, duly seconded, that motion by Morrow be laid on the table. Motion lost.

Whereupon motion by Morrow was put by the Speaker and lost.

INTRODUCTION OF BILLS

Unanimous consent of the House was granted to introduce a bill without previous notice and House Bill No. 368 introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money from the general fund of the State of Montana for the operation and maintenance of certain departments, boards, commissions and institutions for the year ending June 30, 1941, the appropriations made by the Twenty-sixth Legislative Assembly having been found to be insufficient." was introduced, read first and second time at length and referred to the Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Armstrong in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

Motion to pass Substitute House Bill No. 137, as amended, failed;

That the enacting clause be stricken from Substitute House Bill No. 185;

That House Joint Memorial No. 12 do pass;

That House Bill No. 295 be amended as follows:

Amend the title by striking out in line 7 the words "any other" and insert in lieu thereof the words "to apply to";
and that the same do pass as amended;

That House Bill No. 170 do pass;

That House Bill No. 228 do pass;

That House Bill No. 319 do pass;

That House Bill No. 323 do pass;

That consideration of House Bill No. 334 be passed temporarily;

That Substitute House Bill No. 363 be amended as follows:

Amend the title by striking out in lines 4 to 7 the words "and the compulsory installation and maintenance of reflectory caution "stop signs" at certain intersections of county roads or highways with railroads in the State of Montana"; and also by inserting the word "state" between the words "certain" and "highway" in line 8 and by adding in line 9 after the word "Montana" the words "by railroad companies";

Amend Section 2 by inserting in line 2 between the words "all" and "highway" the words "such state"; and by striking out in line 3 the words "in the State of Montana" and insert in lieu thereof the words "pursuant to Section 1,";

and that the same do pass as amended;

That House Bill No. 334 be amended as follows:

Amend the title by striking the words in line 4 thereof "or guest ranches";

Amend Section 1 by striking from line 3 the words "or guest ranch", and strike from line 8 the words "Guest Lodge, Guest Ranch, Dude Ranch", strike from line 10 the word "dudes" and from line 11 the word "dudes", from line 14 the words "or Guest Ranch", from line 15 the words "or guest ranch", and by inserting in line 5 after the word "laws" the following words: "and excepting Dude ranches";

Amend Section 2 by striking from line 3 the words "or guest" and from line 4 the word "ranch", and strike from line 7 the words "or guest ranches";

Amend Section 3 by striking from line 4 the words "or guest ranch", and from line 8 the words "or guest ranch";

Amend Section 4 by striking from line 4 the words "or guest ranch", and from line 5 the words "or guest ranch";

Amend Section 5 by striking from line 4 the words "or guest ranch";

Amend Section 6 by striking from line 4 the words "or guest ranch" and from line 8 the words "or guest ranch";

and as amended, that House Bill No. 334 do pass.

That Substitute House Bill No. 238 be amended as follows:

Amend Section 4 by striking out in line 6 the word "no" before the word "trustees" and also striking out in the same line the word "forbid" after the word "may" and insert in lieu thereof the word "accept" and strike out beginning with the words "or refuse" all of the remainder of line 7, all of line 8 and to the word "provided" in line 9; strike out in lines 26 and 27 the words "within ten (10) days after receipt thereof" and insert in lieu thereof the words "before August 1," and strike out in line 29 the words "before June 25th of each fiscal year"; and strike out in line 31 the word and figure "July 1" and insert in lieu thereof "August 1";
and that the same do pass as amended;

That consideration of House Bill No. 104 be passed until the evening session.

That Substitute House Bill No. 139 be amended as follows:

Amend Section 4 in line 4 by striking the period and adding the words "subject, however, to the provisions of Chapter 259 of Volume 2 of the Revised Codes of Montana, 1935";

Amend by striking all of section 5 and renumber the subsequent sections accordingly;
and that the same do pass as amended;

That consideration of House Bill No. 177 be passed temporarily;

That the enacting clause be stricken from House Bill No. 268;

That House Bill No. 289 do pass.

ARMSTRONG, Chairman.

It was moved by Armstrong, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by O'Connor, duly seconded, that Substitute House Bill No. 185 be segregated from the report of the Committee of the Whole.

A Call of the House was demanded by the required number. After the Clerk called the roll, on motion, duly seconded and carried, further Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number of the motion to segregate Substitute House Bill No. 185 lost by the following vote:

Ayes: Allen, Anson, Aronson, Ballard, Burke, Byrne, Cannon, Carlson, Cole, Cummings, Curran, Dougherty, Forbregd, Freshman, Gebhardt, Goodwin, Gunderson, Hammond, Horrigan, Hunter, Kirscher, Lehrkind, Lippard, Loughran, Lynch, McMichael, Martin of Madison, Mernin, Morrow, O'Brien, O'Connor, Parker of Wibaux, Potter, Rice, Roehl, Stevens, Toole, Toomey, White, Williams, Mr. Speaker. Total 41.

Noes: Ahern, Anderson, Antrim, Armstrong, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Castles, Clifford, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Friedl, Green, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Kemmis, LaBonte, Laubach, Lowe, McDaniel, McGreevey, McKenna, Martin of Fergus, Miller, Murray, Nash, Nelson, Newell, Parker of Flathead, Parker of Cascade, Petersen, Rasmussen, Reed, Saylor, Scofield, Scott, Simpson, Spiegel, Tyler, Vanek, Wilson, Winters, Zuck. Total 55.

Absent and not voting: James, Oliver, Phelan, Tonn, Watson, Welcome. Total 6.

Whereupon the report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 129, 314, 181, 173 and 239 and Substitute House Bills Nos. 64, 279 and 350, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 325, 229, 247, 308, 81, 300, 232, and 194, House Joint Memorial No. 9, and Substitute House Bill No. 37.

SAYLOR, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do not pass.

RICE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336 be amended as follows:

Amend the title in line 4 after the word "whereon" by striking out the following words "it shall be unlawful to allow any" and after the word "livestock" insert the following words "shall not be allowed" and in line 6 after the word "providing" strike out the words "a penalty for the violation of this act" and insert in lieu thereof the following "for the impoundment of and the payment of the expenses incurred in removing livestock from such highway and for the care and maintenance of such livestock while the same is impounded, and for the summary sale of such livestock if unclaimed within five days;"

Amend Section 1 by inserting in line 12 after the word "or" the word "fenced" and by striking out in line 13 after the word "state" the words "or county" and strike out in lines 15 and 16 the words "or to stray" and strike out in line 18 the letter "s" from the word "warnings" and insert after such word the word "signs" and insert in line 18 before the word "highway" the words "shoulder of the" and insert after the word highway in line 18 the words and figures "500 feet distant from the place of crossing, or by a sentinel at least 150 feet distant from such livestock being moved" and add after line 19 the sentence "Each highway or portion thereof so designated by the highway patrol supervisor shall be plainly marked at the beginning and at the end of said designated highway or portion thereof."

Amend Section 3 by striking out in line 26 the words "or straying"

Amend Section 4 by striking the entire section and inserting in lieu thereof the following: "Any livestock permitted to run at large upon any highway designated by the Montana highway patrol supervisor, in conjunction with the board of county commissioners of the particular county affected, as a highway whereon livestock shall not be permitted to run at large, shall be impounded by said peace office designated in Section 3 of this act and said peace office shall within twenty-four (24) hours notify in writing the owner or person entitled to the possession of such livestock. The owner of said livestock or the person entitled to possession thereof shall pay for the cost of removal from the highway and the care of such livestock during the period of impounding, and if the owner or person entitled to possession does not claim such livestock within a period of five days, such livestock may be sold summarily, either at private sale or public sale, upon the direction of the Montana Highway Patrol Supervisor or the sheriff of the county wherein the livestock was found upon the highway, and there shall be retained from the proceeds of such sale the cost of removing the livestock from the highway, and the care and maintenance of the livestock during the period of impounding, and the balance thereof shall be paid over to the owner or the person entitled to the possession of such livestock.

And as amended do pass.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 do not pass.

LYNCH, Chairman.

It was moved by Cannon, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by Stevens, duly seconded, that House Bill No. 304 be printed and placed on General Orders.

As a substitute motion, for all motions pending, it was moved by Lynch, duly seconded and carried, that further consideration of House Bill No. 304 be indefinitely postponed.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 368, respectfully report as follows: That House Bill No. 368, do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 57, respectfully report as follows: That Senate Bill No. 57 be concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 76, respectfully report as follows: That Senate Bill No. 76 be concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 344, respectfully report as follows: That House Bill No. 344 do pass.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Military Affairs, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 do pass.

CLIFFORD, Chairman.

Report adopted.

Mr. Speaker:

We, your Majority of the Committee on Revenue and Taxation, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 do not pass.

ANTRIM,
LIPPARD,
HAMMOND,
SCOFIELD,
RASMUSSEN,
BYRNE.

Mr. Speaker:

We, your Minority of the Committee on Revenue and Taxation, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 do pass.

PETERSEN,
CANNON,
VANEK.

It was moved by Antrim, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by Petersen, duly seconded, that the report of the minority be adopted. Motion was lost.

A Call of the House was demanded by the required number. After the Clerk called the roll, on motion duly seconded and carried, further call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number and the motion to adopt the majority committee report on House Bill No. 270 carried by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Blenkner, Burke, Busch, Byrne, Carlson, Cole, Cummings, Curran, Davey, Dillavou, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Morrow, Newell, O'Brien, O'Connor, Oliver, Potter, Rasmussen, Roehl, Scofield, Simpson, Stevens, Toomey, White, Williams, Wilson, Winters, Mr. Speaker. Total 58.

Noes: Anderson, Banka, Beazley, Beck, Bjorneby, Cannon, Clifford, Dahlquist, Dougherty, Flook, Friedl, Gunderson, Harken, Holding, Hess, Kemmis, Laubach, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nash, Nelson, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Reed, Rice, Saylor, Scott, Spiegel, Tonn, Toole, Tyler, Vanek, Zuck. Total 38.

Absent and not voting: Castles, James, Lippard, Phelan, Watson, Welcome. Total 6.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 337.

SAYLOR, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that H. B. No. 101, by Armstrong, et al., was this day read third time and concurred in, and bill is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that H. B. No. 365 was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by LaBonte, duly seconded, that further consideration of Substitute House Bill No. 137 be indefinitely postponed. Motion lost.

It was moved by O'Connor, duly seconded and carried, that the Speaker be authorized to appoint a steering committee of five members to arrange bills for consideration on General Orders.

Whereupon the Speaker appointed the following as such steering committee: Byrne, Chairman, Armstrong, Cannon, Williams and Toole.

It was moved by O'Connor, duly seconded, that the House reconsider its action in adopting an adverse committee report on House Bill No. 186. Motion lost.

INTRODUCTION OF BILLS

Unanimous consent of the House was granted to introduce a bill, without previous notice, and House Bill No. 369 introduced by Byrne and Armstrong: A bill for an act entitled: "An act providing for the creation and appointment of the Montana Preparedness and Advisory Commission and defining its powers and duties; and appropriating money for carrying out the purposes thereof." was introduced, read first and second times at length and referred to the Committee on Appropriations.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 267 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Bjerneby, Blenkner, Burke, Busch, Byrne, Clifford, Cole, Cummings, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harrison, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Fergus, Mernin, Morrow, Nash, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Petersen, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Stevens, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 66.

Noes: Anderson, Aronson, Beck, Curran, Dahlquist, Eggenberger, Freshman, Goodwin, Harken, Holding, Hess, Horrigan, Loughran, Martin of Madison, Miller, Nelson, Oliver, Parker of Cascade, Potter, Saylor, Simpson, Spiegel, Tonn. Total 23.

Absent and not voting: Cannon, Carlson, Castles, Hazelbaker, James, Kemmis, Lippard, McMichael, Murray, Phelan, Watson, Welcome, White. Total 13.

House Bill No. 247 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Banka, Beazley, Bjerneby, Burke, Busch, Carlson, Clifford, Cole, Cummings, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Gunderson, Hageman, Harrison, Hazelbaker, Holding, Horrigan, Hunter, Kirscher, LaBonte, Lehrkind, Lippard, Lowe, Lynch, McGreevey, McMichael, Mernin, Miller, Morrow, Murray, Nash, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Rice, Saylor, Scofield, Spiegel, Toomey, White, Williams, Winters, Zuck, Mr. Speaker. Total 59.

Noes: Anderson, Ballard, Beck, Blenkner, Byrne, Cannon, Curran, Dahlquist, Dougherty, Forbregd, Goodwin, Green, Hammond, Harken, Hess,

Kemmis, Laubach, Loughran, McDaniel, McKenna, Martin of Madison, Martin of Fergus, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Petersen, Reed, Roehl, Scott, Simpson, Stevens, Tonn, Toole, Tyler, Vanek, Wilson. Total 39.

Absent and not voting: Castles, James, Watson, Welcome. Total 4.

House Bill No. 308 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Hazelbaker, Holding, Hess, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 89.

Noes: Kemmis, Simpson, Tonn. Total 3.

Absent and not voting: Aronson, Castles, Hammond, Harrison, Horrigan, Hunter, James, Kirscher, Watson, Welcome. Total 10.

House Bill No. 340 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Blenkner, Burke, Busch, Byrne, Carlson, Cole, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Hammond, Harrison, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Potter, Roehl, Scofield, Scott, Toole, Toomey, Vanek, Williams, Wilson, Winters, Mr. Speaker. Total 49.

Noes: Ahern, Ballard, Banka, Beazley, Beck, Bjorneby, Cannon, Clifford, Curran, Dahlquist, Davey, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Hazelbaker, Holding, Hess, Loughran, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Saylor, Simpson, Spiegel, Stevens, Tonn, Tyler, White, Zuck. Total 46.

Absent and not voting: Castles, Cummings, James, Lowe, Morrow, Watson, Welcome. Total 7.

Substitute House Bill No. 337 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Blenkner, Burke, Busch, Byrne, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 90.

Noes: Morrow, O'Connor, White. Total 3.

Absent and not voting: Bjorneby, Cannon, Castles, Horrigan, James, Petersen, Rice, Watson, Welcome. Total 9.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Rice in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That the enacting clause be stricken from Substitute House Bill No. 137;

That House Bill No. 104 be amended as follows:

Amend Section 1, page 2, by adding the following paragraph after line 57 and before line 58:

"All surpluses in the state common school equalization fund, after one hundred thousand dollars (\$100,000) have been apportioned under this act, for the year ending March 15, 1942, shall be apportioned and distributed under the provisions of Section 1200.1 of the Revised Codes of Montana, 1935. Likewise all surpluses remaining in said state common school equalization fund, after one hundred thousand dollars (\$100,000) have been apportioned under this act, for the year ending March 15, 1943, shall be apportioned and distributed under the provisions of Section 1200.1 of the Revised Codes of Montana, 1935. After March 15, 1943, all monies credited to the state common school equalization fund shall be apportioned and distributed under the provisions of Section 1200.1 of the Revised Codes of Montana, 1935."

And as amended, do pass:

That House Bill No. 177 do pass;

That consideration of House Bill No. 324 be passed temporarily;

That House Bill No. 338 do pass;

That House Bill No. 346 be amended as follows:

Amend Section 7, line 7, by adding after the period, the following: "The provisions of this act shall not operate, or be construed, to impair, restrict or in anywise interfere with the jurisdiction, authority and functions of the Milk Control Board."

and that the same do pass, as amended;

That House Bill No. 324 be amended as follows:

Amend Section 2 by inserting in line 10 after the word "annum" the following words "provided that not more than one cent (1c) per acre shall be assessed on each forty (40) acre subdivision containing less than forty thousand (40,000) board feet of live merchantable timber,"

Amend said section 2 also by striking out in line 13, all of the remainder of said line after the semi-colon which follows the word "act" and all of the remainder of Section 2 and insert in lieu thereof the words "provided, that for the purpose of this section, any legal subdivision of not more than one hundred sixty acres, classified by the board as forest land, to be designated by the owner, shall be deemed by the board to be protected by the owner if more than one-half thereof is within the radius of one mile of a permanent habitation occupied throughout the fire season either by the owner, or some one under the owner's direction.";

and that the same do pass, as amended;

That consideration of House Bill No. 203 be passed for the day;

That House Bill No. 311 do pass;

That House Bill No. 314 do pass;

That Substitute House Bill No. 64 be amended as follows:

Amend by changing the period after the word "control" to a comma in line 22 and add the following: "and with the additional power to purchase

group insurance if in the opinion of said depository board and with the consent of the trustees of said fund, the purchase of such insurance is deemed advisable, and for the best interests of said pension fund and the beneficiaries thereof."

Amend Section 1, line 44 by adding—"In the event of voluntary retirement after a member has paid into said fund for a period of at least sixty (60) months, such member shall be entitled to withdraw from said fund a sum equal to fifty percent (50%) of his contribution, but in no event to exceed the sum of five hundred dollars (\$500.00) except by unanimous consent of the Board of Trustees of said fund."

Amend by adding a new section as follows: "Section 4. No public moneys shall be appropriated for the Montana Highway Patrolmen's Pension Fund."

and that the same do pass, as amended;

RICE, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 291 and Substitute House Bill No. 353, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 323, 327, and 319, Substitute House Bill No. 142, and House Joint Memorial No. 12.

SAYLOR, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday, February 20, 1941, at 9:30 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-SIXTH DAY

House of Representatives,
Helena, Montana,
February 20, 1941.

House convened, pursuant to adjournment, at 9:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members present except the following who were excused: Dillavou, Watson and Welcome.

Mr. Speaker:

We, your Committee on Journal having examined the Journal for the Forty-fifth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence; S. B. No. 110, by Fish and Game Committee; S. B. No. 77, by Mahoney and Morrison; S. B. No. 126, by Fish and Game Committee; S. B. No. 52, by Maddox; S. B. No. 125, by Fish and Game Committee; S. B. No. 114 by Committee on Agriculture; S. B. No. 178, by Campbell, Simmons and Alvord; S. B. No. 175, by Ecton; S. B. No. 25, by Nutt; S. B. No. 161, by Haynes; S. B. No. 75, by Simmons; Sub. S. B. No. 128, by Judiciary Committee.

I am directed by the Senate to inform your Honorable Body that H. B. No. 199 by Ballard, was this day recommended for non-concurrence by the Senate Committee of the Whole, and bill is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that the following Bills were this day read third times, concurred in, title and history agreed to, and the same are herewith returned to the House: H. B. No. 188, by Judiciary Committee; H. B. No. 113, by Byrne; H. B. No. 90, by Education Committee, H. B. No. 153, by Antrim; Sub H. B. No. 168, by Committee on Agriculture; House Joint Memorial No. 7, by Spiegel, et al.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

Senate Bill No. 110: Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3653 of the Revised Codes of Montana for 1935, relating to Fish and Game Commission, its powers and duties." Referred to Committee on Fish and Game.

Senate Bill No. 77: Introduced by Mahoney and Morrison: A bill for an act entitled: "An act to amend Section 562 of the Revised Codes of Montana, 1935, as amended by Chapter 147 of the Laws of the Twenty-fifth Legislative Assembly of 1937, providing for the cancellation of registry for failure to vote or for voting by absent voter's ballot, the manner and re-registration thereafter, and providing that the registry cards of persons serving in the armed forces of the United States and who vote by absent voter's ballot during such service shall not be cancelled under certain conditions." Referred to Committee on Privileges and Elections.

Senate Bill No. 126: Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3697 of the Revised Codes of Montana of 1935, relating to open season on deer—waste of meat and penalties for violation of this act." Referred to Committee on Fish and Game.

Senate Bill No. 52: Introduced by Maddox: A bill for an act entitled: "An act to amend Section 11048.1 of the Revised Codes of Montana, 1935, relating to the penalty for the sale or giving away or disposing of intoxicating liquors to any person under the age of twenty-one years, and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Public Morals, Charities and Reforms.

Senate Bill No. 125: Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3696 of the Revised Codes

of Montana of 1935, relating to the open season on elk—waste of meat and penalties for violation of this act.” Referred to Committee on Fish and Game.

Senate Bill No. 114: Introduced by Committee on Agriculture: A bill for an act entitled “An act to amend Section 3579 of the Revised Codes of Montana, 1935, relating to charges by public warehousemen for the handling and storage of grain.” Referred to Committee on Agriculture.

Senate Bill No. 178: Introduced by Campbell, Simmons, Alvord: A bill for an act entitled: “An act to provide for the making of parties to actions proceedings affecting real, personal or mixed property by the designations of unknown owners’ or unknown heirs or unknown devisees or by any and all of such designations and for the manner of making such persons parties, and for the effect of judgments and decrees rendered against such parties in such actions or proceedings.” Referred to Committee on Judiciary.

Senate Bill No. 175: Introduced by Ecton: A bill for an act entitled: “An act to amend Section 6 of Chapter 80, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, relating to unfair competition and discrimination, by providing for the exemption of the State of Montana and its institutions from the provisions thereof; Repealing all acts in conflict herewith.” Referred to Committee on Judiciary.

Senate Bill No. 25: Introduced by Nutt: A bill for an act entitled: “An act to amend Section 12, Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the hours during which liquor and beer may be sold.” Referred to Committee on Public Morals, Charities and Reforms.

Senate Bill No. 161: Introduced by Haynes: A bill for an act entitled: “An act to amend Section 10531, Revised Codes of Montana, 1935, relating to facts which may be proved on trial and repealing all acts and parts of acts in conflict herewith.” Referred to Committee on Judiciary.

Senate Bill No. 75: Introduced by Simmons: A bill for an act entitled: “An act providing for the appointment of a water commissioner to divide, admeasure and distribute decreed or stored waters in ditches owned by co-partnership, Tenants in common shareholders or corporations.” Referred to Committee on Judiciary.

Substitute Senate Bill No. 128: Introduced by Judiciary Committee: A bill for an act entitled: “An act to amend Section 3719 of the Revised Codes of Montana, 1935, relating to killing of moose, bison, buffalo, caribou, or antelope being a misdemeanor.” Referred to Committee on Fish and Game.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Substitute House Bill No. 37 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Busch, Byrne, Cannon, Cummings, Curran, Dahlquist, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 80.

Noes: O'Connor. Total 1.

Absent and not voting: Allen, Antrim, Blenkner, Carlson, Castles, Cole, Davey, Dillavou, Dougherty, Freshman, Hunter, Lehrkind, Lippard, McDaniel, McMichael, Morrow, Murray, Scofield, Watson, Welcome, Clifford. Total 21.

House Bill No. 59 passed by the following vote:

Ayes: Ahern, Anderson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Clifford, Cummings, Curran, Davey, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazebaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 78.

Noes: Dahlquist, Mernin. Total 2.

Absent and not voting: Allen, Anson, Antrim, Blenkner, Burke, Byrne, Cannon, Carlson, Castles, Cole, Dillavou, Flook, Freshman, Horrigan, Kirscher, Lippard, Lynch, Murray, Scofield, Tyler, Watson, Welcome. Total 22.

House Bill No. 81: Introduced by Friedl, being a Constitutional Amendment, having been read three several times, history and title agreed to, not having the necessary two-thirds vote of the entire membership, as required by law, failed to pass by the following vote:

Ayes: Ahern, Anderson, Ballard, Banka, Beazley, Beck, Burke, Busch, Byrne, Clifford, Cummings, Curran, Davey, Dougherty, Forbregd, Friedl, Goodwin, Green, Holding, James, Laubach, Lehrkind, Lippard, Loughran, Lynch, McGreevey, McKenna, Martin of Madison, Mernin, Murray, Nash, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Zuck, Mr. Speaker. Total 52.

Noes: Anson, Aronson, Bjorneby, Castles, Cole, Esp, Flook, Gebhardt, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, Kirscher, LaBonte, McDaniel, McMichael, Martin of Fergus, Miller, Morrow, Nelson, Newell, O'Connor, Parker of Flathead, Petersen, Roehl, Scofield, Simpson, Tyler, Wilson, Winters, Horrigan. Total 33.

Absent and not voting: Allen, Antrim, Armstrong, Blenkner, Cannon, Carlson, Dahlquist, Dillavou, Eggenberger, Fewkes, Freshman, Gunderson, Hageman, Kemmis, Lowe, Watson, Welcome. Total 17.

House Bill No. 121 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Banka, Beazley, Bjorneby, Burke, Busch, Byrne, Castles, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Flook, Forbregd, Friedl, Goodwin, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Stevens, Toole, Toomey, Williams, Wilson, Winters, Mr. Speaker. Total 71.

Noes: Beck, Clifford, Harken, Holding, Hess, Kirscher, McGreevey, Martin of Fergus, Mernin, Murray, Phelan, Saylor, Spiegel, Tonn, Vanek, Zuck. Total 16.

Absent and not voting: Antrim, Armstrong, Blenkner, Cannon, Carlson, Cole, Dillavou, Fewkes, Freshman, Gebhardt, Hunter, Tyler, Watson, Welcome, White. Total 15.

Substitute House Bill No. 142 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cummings, Curran, Davey, Dougherty, Eggenberger, Forbregd, Friedl, Gebhardt, Gunderson, Hageman, Hammond, Harken, Harrison, Hess, Horrigan, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Rice, Roehl, Scott, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck. Total 71.

Noes: Allen, Esp, Flook, Green, Hazelbaker, Holding, James, Lowe, McDaniel, Mernin, Miller, Saylor, Scofield, Simpson, Spiegel, Tyler. Total 16.

Absent and not voting: Blenkner, Carlson, Cole, Dahlquist, Dillavou, Fewkes, Freshman, Goodwin, Hunter, O'Brien, Parker of Cascade, Reed, Watson, Welcome, Mr. Speaker. Total 15.

House Bill No. 194 failed to pass by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Beck, Bjorneby, Burke, Byrne, Castles, Cummings, Curran, Dougherty, Esp, Flook, Friedl, Goodwin, Green, Harken, Harrison, Hazelbaker, Holding, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McKenna, McMichael, Morrow, O'Brien, Potter, Reed, Tyler, White. Total 41.

Noes: Banka, Beazley, Busch, Clifford, Dahlquist, Eggenberger, Forbregd, Gebhardt, Gunderson, Hageman, Hammond, Hess, Horrigan, Hunter, Lippard, McGreevey, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 45.

Absent and not voting: Anderson, Blenkner, Cannon, Carlson, Cole, Davey, Dillavou, Fewkes, Freshman, James, Murray, Parker of Flathead, Scofield, Vanek, Watson, Welcome. Total 16.

House Bill No. 210 passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Busch, Byrne, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 82.

Noes: Nelson. Total 1.

Absent and not voting: Ahern, Aronson, Blenkner, Cannon, Cole, Dillavou, Freshman, Green, Horrigan, James, Kirscher, Murray, Oliver, Parker of Cascade, Vanek, Watson, Welcome, Carlson. Total 18.

Passed: Hazelbaker. Total 1.

House Bill No. 229 passed by the following vote:

Ayes: Ahern, Allen, Antrim, Armstrong, Aronson, Ballard, Beazley, Burke, Busch, Byrne, Castles, Clifford, Cummings, Curran, Davey, Dougherty, Eggenberger, Fewkes, Flook, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Winters, Mr. Speaker. Total 72.

Noes: Anderson, Banka, Beck, Cole, Dahlquist, Esp, Forbregd, Hess, Horrigan, Kemmis, Lynch, McKenna, Nelson, Simpson, Tonn, Wilson, Bjerneby. Total 17.

Paired: Green and Welcome. Total 2.

Absent and not voting: Anson, Blenkner, Cannon, Carlson, Dillavou, Freshman, James, Newell, Petersen, Watson, Zuck. Total 11.

It was moved by Byrne, duly seconded and carried, that further consideration of business under Third Reading be passed temporarily.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Gunderson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following recommend: That House Bills Nos. 366, 129 and 202 do pass; that consideration of House Bill No. 239 be passed temporarily; that Substitute House Bill No. 279 do pass.

GUNDERSON, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 369, respectfully report as follows: That House Bill No. 369 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations having had under consideration House Bill No. 329, respectfully report as follows: That House Bill No. 329 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 13, respectfully report as follows: That Senate Joint Memorial No. 13 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 14, respectfully report as follows: That Senate Joint Memorial No. 14 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Mines and Mining, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 do not pass.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 217, 367, 362, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 289, 295, 314, Substitute House Bills Nos. 139, 363.

SAYLOR, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Dougherty, duly seconded and carried, that House Bill No. 203 be taken from General Orders and re-referred to the Committee on Appropriations.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:45 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Conservation of Resources, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do not pass.

TONN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 91, respectfully report as follows: That Senate Bill No. 91 be not concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 47, 101, 365, 90, 113, 188, House Joint Memorial No. 7.

Report adopted.

COLE, Chairman.

I have examined House Bill No. 188 introduced by me and find the same to be correct.

TOOLE.

I have examined House Bill No. 90 introduced by me and find the same to be correct.

JAMES, Chairman.

I have examined House Bill No. 365 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 101 introduced by me and find the same to be correct.

ARMSTRONG.

I have examined House Bill No. 47 introduced by me and find the same to be correct.

HUNTER.

I have examined House Bill No. 113 introduced by me and find the same to be correct.

BYRNE.

I have examined House Joint Memorial No. 7 introduced by me and find the same to be correct.

SPIEGEL.

The Speaker signed the following in open session: House Bills Nos. 47, 101, 365, 90, 113, 188 and House Joint Memorial No. 7.

MOTIONS AND RESOLUTIONS

It was moved by Curran, duly seconded and carried, that House Bill No. 63 be taken from the Committee on Social Security and printed and placed on General Orders.

It was moved by Morrow, duly seconded, that the House request the Honorable Senate to return House Bill No. 340 for further consideration.

A Call of the House was demanded by the required number. The Clerk called the roll, and all absentee members who were not excused were brought in. Whereupon Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number, and motion by Morrow, carried by the following vote:

Ayes: Ahern, Ballard, Banka, Beazley, Beck, Bjorneby, Cannon, Clifford, Curran, Dahlquist, Davey, Dillavou, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Harken, Hess, Loughran, Lowe, McGreevey, McKenna, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, White, Zuck, Mr. Speaker. Total 49.

Noes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Blenker, Burke, Busch, Byrne, Castles, Cole, Dougherty, Eggenberger, Esp, Fewkes, Flook, Gebhardt, Hageman, Hammond, Harrison, Horrigan, Hunter, James, Kemmis, Kirscher, LeBonte, Laubach, Lehrkind, Lippard, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Newell, O'Connor, Oliver, Parker of Flathead, Potter, Roehl, Toomey, Vanek, Williams, Wilson, Winters. Total 46.

Absent and not voting: Carlson, Cummings, Dillavou, Watson, Welcome. Total 5.

Paired: Hazelbaker, Holding. Total 2.

REPORTS OF SELECT COMMITTEES

REPORT OF JOINT COMMITTEE ON STATE GOVERNMENTAL ORGANIZATION TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Pursuant to the provisions of House Joint Resolution No. 1, which reads as follows:

"A resolution providing for the creation of a joint committee from the House of Representatives and the Senate of the State of Montana for the purpose of studying and investigating the present governmental organization of the State of Montana in all its departments, with a view to the recommendation of legislation at this present session of the Twenty-seventh Legislative Assembly for decreasing government agencies, effecting consolidations of services where compatible with the public service, insuring economies in operation, and elimination of alleged emergency powers, functions, and bodies."

Your Joint Committee begs leave to submit the following report:

Inasmuch as this Assembly has under consideration Senate Bill No. 59 and House Bill No. 207, each of which authorize a commission to make a much more thorough and complete study along the same lines of the committee appointed under Joint Resolution No. 1; and inasmuch as that commission will have two years in which to make its study and report and as this report has to be made after the time limit for introducing bills to the Assembly, and during a time when the members of this Committee are very busy with other legislation, it seems best that this report should be confined largely to economies that can be made by executive order. Those economies that require legislation and constitutional amendments for the most part should be considered by the commission appointed under either of the bills referred to. This report will, however, attempt to make some suggestions to that commission.

Our present Governor of the State of Montana, in his message delivered to the Twenty-seventh Legislative Assembly, made the following pertinent statement:

"May I direct your attention to the great increase in offices, departments and employees during the past several years, and resulting therefrom, an alarming growth in the cost of our Government. With this has come needless and expensive duplication of service. There is a pressing need for the re-organization of our entire State business structure, involving consolidation of offices, boards, departments and particularly, functions of Government; the eliminating of duplications; better coordination and strengthening of administrative responsibility. If we have the will and courage for it, retrenchment can be had without impairing any essential Governmental function."

NEED FOR RE-ORGANIZATION LONG RECOGNIZED

The need for re-organization of the Montana State government has been recognized for more than twenty years. The Sixteenth Legislative Assembly provided for the creation of a State Efficiency Commission which made its report to Governor S. V. Stewart, November 1, 1919. Although analysis of the State Governmental structure was made with certain definite recommendations for re-organization and improvement in efficiency, few of the recommendations were put into effect. Similar re-organizations have been recommended regularly by other incoming Governors with very little ever having been accomplished. Several states, notably Illinois, Minnesota, Rhode Island, Kentucky, Indiana, Michigan, Massachusetts and Nebraska have, within the past few years, effected a complete re-organization of their state government.

The State Legislative Assembly has created many of our State Bureaus and Offices in response to persistent popular demands. The state is frequently required to enter into a new activity on account of growing population and development of resources. Additional supervision, or regulation by State authority is demanded to furnish more adequate protection to the people.

But, the Legislative Assembly is very often betrayed into an illogical position. A new office, or bureau, is frequently created to perform a function closely related to the work already being done by an existing office or bureau, when instead of creating a new office or bureau, the legislature should have provided for the necessary extension of power of an existing office.

Constitutional limitations make any immediate or complete re-organization impossible. Constructive progress, however, demands the formation and acceptance of a more efficient organization plan which may be followed in a long-time program. Necessary constitutional amendments will have to be submitted later and legislative changes should conform to the accepted plan for re-organization.

Most of the boards, commissions and officials have no connection with each other, in spite of the close relationship of purpose. About the only link that binds them to centralized control of State Government is the appointing and reviewing power of the Governor.

Constitutional elective executive officials have no correlating connection with any of these groups except as individual members of boards and commissions. It would seem to us entirely possible and practical to form groups or departments of related agencies, probably around, or based upon our present constitutional boards and offices.

EXECUTIVE RESPONSIBILITY DIFFICULT

The Governor is vested with the supreme executive power of the state and it is his duty to see to it that the laws are faithfully executed. Yet, a number of departments, boards, and commissions have little or no direct connection with the Governor, and in other instances, the lines of authority are not set up clearly. Even if the Governor had the authority with which he is nominally vested, it would be impossible for him to keep in touch with all the boards, commissions and offices that at the present exist, let alone to supervise and coordinate their activities. It goes without saying that the Governor cannot supervise all activities of the executive office and act as a member of fourteen or more boards, many of whose activities are to a large extent comparatively unimportant and on which his membership bears no more weight than that of any other member of the Board. He must spend a great deal of time taking care of the petty details of the administration of the various boards of which he is a member. A much more effective administration could be obtained by placing such activities under

some existing department which is indirectly responsible to the Governor, through its department head.

So far as elective officers are concerned, (six outside of the Governor) it is impossible for the Governor, or any other body, to exercise control over them, since they are responsible to the voters of the State, rather than to the Governor or the Board of Examiners. Present day administrative reorganization is providing for fewer elective officers, usually only three including the Governor.

WEAKNESS OF ADMINISTRATIVE BOARDS

A system of Government composed largely of boards and commissions is a decided weakness in the present administrative set up of the state. Boards and commissions are advisable when determining policies and considering questions requiring deliberation and discussion. However, for purposes of administration where quick energetic action is desired, a board of commission constitutes the very poorest type of administrative unit.

The abolition of all present boards and the combining of like activities into a limited number of departments, with, if necessary, a limited number of advisory boards to pass upon policies requiring deliberation, would be of much advantage for efficient administration. All closely allied functions should be grouped into one department in order that these activities might be properly supervised and coordinated. The duplication of like activities should be eliminated as far as possible.

NEED FOR A SYSTEM OF PERSONNEL ADMINISTRATION

The State has no definite system of personnel administration. The Board of Examiners or Governor may discharge any employee of the State, for reason. All department heads have varying degrees of control over employees in the department; some can hire and fire at will, sometimes with only a mere semblance of reason. After each election, each newly elected officer usually brings with him an entire new staff, or else he builds up a new staff as soon as possible after election, by weeding out former employees as rapidly as he can and still maintain some sort of office control. Such a procedure results in a total or at least partial periodic disruption of the State, administrative machinery. Under such conditions the State cannot hope to operate efficiently. A personnel system should be built up, based upon a graded scale with salary and promotion based upon efficiency and experience.

CONSOLIDATION OF FUNDS

Timely at this point because of the passage of House Bill No. 10 is the subject of funds. The State Legislature of Montana has set up a multiplicity of funds, the existence of some cannot be justified. The mandatory provisions for a great many fund accounts is not to be recommended. A great many accounts build up funds for a particular activity or purpose, while equally important funds must suffer on account of insufficient resources. The greater the number of funds the more difficult is an adequate system of budgetary control. A great number of funds complicates the works of the accounting departments and render more difficult the ascertaining the exact status of the Treasury.

In addition to the great number of state funds, there are now some thirty Federal trust funds handled by the Auditing department. Insofar as is possible, it is advisable that all revenues accrue to the general fund, and that various activities of the State be considered upon their own merits when the funds of the State are made available for expenditure through legislative appropriation. In other words, the expendible revenue funds should be limited to the general fund and a limited number of special rev-

enue funds. The number of special revenue funds should be limited to instances where circumstances peculiar to their creation necessitate specific funds.

In Montana, in addition to the general fund with its some thirty-five subsidiary revolving funds, there are about seventy-eight special funds, fifteen permanent funds and twenty-one investment funds, twelve funds of various self-supporting activities, the receipts of which are not turned into the State Treasury, twenty-one bond redemption and sinking funds and numerous contingent cash advance accounts to State institutions and departments.

FINANCIAL ORGANIZATION CUMBERSOME

The financial organization of the State abounds with overlapping and conflicting duties of various departments. For example, the State Accountant examines the accounts of the state institutions, yet the State Examiner and the State Auditor are both vested with the same authority.

In Montana, the pre-audit of claims is cumbersome and is duplicated by different departments. A partial audit is carried on by the Board of Examiners and by the State Auditor. The examination made is incomplete and a duplication of work is done by the two departments. The examination made consists merely in ascertaining that a sufficient unexpended balance exists in the appropriation.

Signatures of at least two members of the Board of Examiners is required by all claims before being presented for payment. This requirement is merely a gesture, since in practice a rubber stamp is used for the purpose in the office of the Board of Examiners. The Board of Examination procedure is another step through which claims must pass before being presented for payment. It serves no purpose other than slowing up the payment of claims. It is believed that most of the difficulty and inefficiency indicated will be given careful consideration under the provisions of S. B. 59 and corrective measures will be proposed.

In conformity with Joint House Resolution No. 1, your committee has the following specific recommendations to offer:

RECOMMENDATIONS

1. We feel that under executive order there could be some consolidation and coordination of accounts for the various institutions, boards and departments, that maintain their own accounting staff, which are checked by both the State Accountant and State Examiner. We have a State Auditor, State Examiner, State Accountant and a State Purchasing Agent checking each other. We feel not all this is necessary. We recommend that the State Auditor refuse to issue warrants for purchase of supplies by the State unless approved by the Purchasing Agent. This would give the State Purchasing Agent a control of funds spent for supplies which we feel it was intended this office should have. We further recommend for consideration of the Committee appointed under Senate Bill 59 or House Bill 207, the appointment by the Governor and under his direct supervision, a comptroller to have charge of all fiscal affairs of the State of Montana.

2. At present, the Board of Equalization, takes care of most matters relating to revenue and taxation. However, the State Auditor collects insurance and investment taxes. The Public Service Commission collects certain fees and licenses. The Department of Agriculture collects other fees and licenses. We believe there is opportunity for more centralization and coordination of these activities but legislative action would be required.

3. The following agencies have to do with milk: Dairy Division of the Department of Agriculture, Livestock Sanitary Board, Milk Control Board, and the Board of Health. The Milk Control Board is a price fix-

ing and fair trade board. If we are to have fair trade practices and price control boards, it is our belief that they should be centralized under the Trade Commission. It seems to us the activities of the Dairy Division, the Board of Health, and the Livestock Sanitary Board, as regards milk, could all be handled by the Livestock Sanitary Board.

4. Under the Railroad Commission we have gasoline inspection. We also have gasoline inspection under the Weights and Measures branch of the Department of Agriculture. We also have certain checking of gasoline sales by the Board of Equalization. It seems to us that all gasoline inspection could be centralized in the Board of Equalization.

5. We recommend the elimination of electrical inspection under the Public Service Commission as we believe this inspection is done by insurance companies and municipalities. This can probably best be done by doing away with the appropriation.

6. The Department of Agriculture, the Highway Commission, the Unemployment Commission and Public Welfare Commission all maintain publicity divisions. We recommend the elimination of these publicity departments, unless specific appropriations are made to support them.

7. We recommend complete coordination of Montana's legal staff under the Attorney General. At present attorneys are employed by the Board of Equalization, the Highway Commission, Public Service Commission, Montana Trade Commission, Unemployment Compensation Commission, Liquor Board, Conservation Board, and the Industrial Accident Commission. We believe that the Attorney General's staff can handle most of the work now performed by these attorneys. We recommend all legal work done by attorneys for the State of Montana should be under the direct supervision of the Attorney General and outside attorneys should only be employed with the Attorney General's approval.

8. The Welfare Department maintains a Research Division and a Purchasing Division. We believe the Purchasing Division could be eliminated and this work carried on by the State Purchasing Agent. Considerable economy could be had in research and statistics with a smaller staff.

9. We recommend that payments under general relief be very greatly curtailed in this time of employment for all who want to work. This saving would make possible increased payments on old age assistance and other forms of public welfare.

10. In the State Superintendent's office, there is a State supervised correspondence school. This correspondence school division, if confined to the scope for which it was created, would require a much lower appropriation.

11. We recommend that the Temperance Commission with the budget of \$5,000.00 be eliminated, unless some real results can be assured.

12. We recommend a study of the Highway Department under Senate Bill No. 59 and House Bill No. 207, for the purpose of reducing operating costs.

13. In the Liquor Board, we recommend the elimination of this Assistant Administrator. We believe the salaries in the liquor stores should be reduced to be more in line with the lowest paid elective county officers and with salaries paid workers of like qualifications in private industry. We recommend a study of our present liquor administration to see if economy could be had by the elimination of some retail liquor stores.

14. At the present time, the custodial institutions have superintendents for the most part that are experienced scientific men. These men are doing a good job in their respective lines, but they are not necessarily business executives. We think that a saving in most of the custodial institutions could be had by the appointment of a business manager. We

think the savings would result in many times the salary of such a business manager and would relieve the superintendents of details for which they are neither experienced or qualified and allow them to give their talents and time and energy to the inmates of these institutions. This applies especially to the Hospital for the Insane.

15. The State Depository Board, composed of Governor, State Treasury, and State Auditor has never functioned. This board has control of the deposits of all state moneys and we believe it is a necessary board and that its duties are important to the State and it should function.

16. We suggest a study of State insurance and that the average rate for fire protection not exceed fifty (50c) cents, risks and valuations considered. Our investigations show there are some 900 buildings insured at this time. The yearly premiums averaged \$56,662.00 in fourteen years; the average loss has been \$2,065.41; over the 14-year period the total loss has been \$28,915.00; the total premiums paid have totalled \$450,091.00.

17. We recommend the repeal of the statues relating to the Veterans Welfare Commission. This Commission is not essential.

18. We recommend a constitutional amendment providing that the clerk of the supreme court be appointed by the court rather than be elected.

19. We recommend a more clearly marked line between the powers and duties of the State Department of Agriculture and those of the Experiment Station and Extension Service. The first should be confined to regulation, the latter to research, investigation and education.

20. We recommend that the Powder Magazine Inspector be transfered from the office of Fire Marshall to the Bureau of Public Safety under the Industrial Accident Board. This will take legislative action.

21. We recommend that the State Board of Examiners, commencing July 1, 1941, and not less than once each three (3) months thereafter, require each elective and appointive officer, board, commission and department to justify the size of its staff, the salaries therefor, and the expenses of the particular office or department; and that the board notify each such office or department that it will not approve claims against appropriations for such ensuing quarter in excess of a maximum percentage of appropriations properly allocated for the quarter. We further recommend that such board refuse approval to any claims not authorized in advance by the board.

It is our thought that the language in every appropriation bill, to-wit: "so much thereof as may be necessary" authorizes and requires the State Board of Examiners to determine the necessity for expenditures under, and notwithstanding, the legislative appropriation. In line herewith, we recommend that the following clauses be inserted in appropriation bills for state offices, commissions and departments:

"Each and all of the above appropriations are maximum appropriations, and they shall be, and are hereby made, subject to the following conditions:

"(1) In the case of all departments, boards, bureaus, commissions and agencies which are authorized to and do collect, or are in receipt of license fees or charges, or other revenues (whether the same are to be included in the general fund or otherwise), the State Board of Examiners is hereby authorized and required to decrease any of the foregoing maximum appropriations at any time to prohibit expenditures by such departments, boards, bureaus, commissions and agencies, in excess of the income or revenue accruing to the general fund by and through such license fees or charges, and to limit expenditures under such accruals in all proper cases where there is a direct relation between the duties of such departments, boards, bureaus, commissions and agencies, and the income from license fees and charges.

"(2) In all cases the State Board of Examiners is authorized and directed to limit expenditures under the maximum appropriations above,

provided whenever, any condition, including insufficient income, arises during the biennium for which appropriations are made, which the Board finds may result in an excess of appropriations and expenditures over revenues."

22. We recommend that the Board of Education under the broad general powers with which it is vested by the Constitution and by statute, employ an administrative executive secretary and to delegate to such official the administrative powers of the board, reserving of course the determination of policies, final assumption of financial responsibility, and final action on the major activities of its representative. We recommend that the Legislature in its appropriation for the Greater University, and the institutions under the jurisdiction of the Board of Education make adequate provisions for the Board of Education make adequate provisions for the Board of Education and the proposed executive secretary.

In this connection we desire to call your attention to the following extracts from the Constitution and the Montana statutes:

Art. XI, Sec. 11, Montana Constitution: "The general control and supervision of the state university and the various other state educational institutions shall be vested in a state board of education, whose powers and duties shall be prescribed and regulated by law.

Section 853, 1935 R. C. M., provided:

"To have general control and supervision of the University of Montana (all six units), and state orphans home, the state industrial school, and the state vocational school for girls."

"The control and supervision of the University of Montana, as heretofore constituted (six units named) are vested in the State Board of Education, which must appoint a president and faculty for each of the various state institutions constituting the University of Montana and such other officers, agents and employees for said University of Montana and for its competent state institutions as the State Board may deem necessary, including a chancellor of the University of Montana, whose powers and duties shall be such as may be prescribed by the State Board of Education."

It will be noted in the above quotation from Sec. 853, 1935 Code, that the power to appoint a chancellor has never been repealed. University appropriation bills in recent years have carried this provision: "It is further provided that the appropriations contained herein shall not be used for salary and expenses of a chancellor for the Greater University of Montana." Yet the Board still has the right to appoint an executive secretary of the board, a business manager, or such other administrative officers as the Board may deem necessary and to confer on such officer the power to execute the administrative duties of the Board of Education. As a matter of fact the Board has maintained a secretary with rather limited powers for several years at a pro-rated cost of about \$6,000 a year.

BOARD TO PREVENT UNNECESSARY DUPLICATION BETWEEN UNITS

Sec. 855, 1935 Code, emphatically declares that: "It shall be the duty of the State Board of Education * * * to take such steps and prescribe such rules as may be necessary to prevent unnecessary duplications of courses of instruction in the various educational institutions composing the University of Montana; to investigate carefully the needs of each of said institutions with reference to buildings, equipment and instruction; to estimate the necessary appropriations required for such needs, and to make recommendations to the legislative assembly accordingly."

Yet it would be absolutely impossible for the Board of Education without a strong capable administrative agent to carry out the provisions of this section.

The fact that Board members receive no compensation and yet are invested with great general and specific powers and duties including the appointment of such officers and employees of the Greater University as the board may deem necessary to take care of the active administration indicates that it was never intended that the Board should be an active administrative body. A study of constitutional and statutory provisions clearly shows that without a real administrative, executive officer the board could not possibly function in an efficient manner.

The present curriculum offerings at the various units of the University are greatly in need of overhauling in the interests of economy and efficiency. Every session the legislature is confronted with the necessity of hastily determining the relative needs of the different institutions and adjusting their requirements to the available revenue because of the inability of the board to comply with its duties prescribed in Sec. 855.

The present deplorable situation in the Greater University is largely the result of the lack of a strong coordinating administrative officer of the State Board of Education (call him what you may) putting into execution the powers and duties conferred upon and required of the board by law.

23. We recommend the concentration without duplication in the office of the State Examiner, of reports required from counties, cities, towns and school districts relating to status of outstanding bonds, warrants and other indebtedness and of bond interest and sinking funds.

24. We recommend that whenever any application, for travel outside the State, is made to the Board of Examiners, such application shall set forth the purpose of the travel, the benefit to the state, the number of days absence from the state, the means of transportation, and the approximate cost of the same.

25. We recommend that the Legislature investigate the obligations incurred by the State Armory Board with a view of protecting the financial responsibility of the State in relation to obligations already incurred or which are being planned.

26. We advise a study of the duties of the State Board of Entomology and the State Entomologist with the idea of placing all the duties under a State Entomologist.

ECTON,
MANNING,
D'EWART,
For the Senate.

LEHRKIND,
JAMES,
TOOMEY,
For the House.

It was moved by Lehrkind, duly seconded and carried, that the report of the special committee be adopted.

It was moved by Lehrkind, duly seconded and carried, that the said Select Committee on State Governmental Organization be discharged.

It was moved by Tonn, duly seconded and carried, that the report of the Select Committee on State Governmental Organization be mimeographed and placed on the desks of the members.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Public Health and Sanitary Affairs, having had under consideration Substitute Senate Bill No. 78, respectfully report as follows: That Substitute Senate Bill No. 78 be concurred in.

LYNCH, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Health and Sanitary Affairs, having had under consideration Substitute Senate Bill No. 11, respectfully report as follows: That Substitute Senate Bill No. 11 be not concurred in.

LYNCH, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 261, 262, 263, 344, 357, 368, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 170, 177, 228, 104, 334, 311; Substitute House Bill No. 279.

SAYLOR, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Tonn, duly seconded and carried, that House Bill No. 202 be taken from the Committee on Engrossing and placed on General Orders.

THIRD READING

House Bill No. 28, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Allen, Anderson, Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Castles, Clifford, Cole, Cummings, Curran, Davey, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Zuck, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Ahern, Antrim, Armstrong, Byrne, Carlson, Dahlquist, Dillavou, Dougherty, Friedl, James, Lehrkind, Lippard, McMichael, Parker of Flathead, Phelan, Watson, Welcome, Winters. Total 18.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Toomey in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 239 do pass;

That House Bill No. 283 do pass;

That House Bill No. 291 do pass;

That House Bill No. 298 do pass;

That the enacting clause be stricken from Substitute House Bill No. 100;

That consideration of House Bill No. 50 be passed until the evening session;

That House Bill No. 336 be amended as follows:

Amend Section 1 by striking the word "down" and insert in lieu thereof the word "upon" in line 6; and strike out in the amendments of the committee on highways amendments to section 1 of the original bill in lines 8 and 9 the words "or by a sentinel at least 150 feet distant from such livestock being moved" and in lines 8 and 9 in the printed bill the words "to notify oncoming motorists that such livestock is being driven across or upon such highway," and insert in lieu thereof the following: "and that any one in the act of driving livestock upon such highway shall exercise reasonable care and diligence in the movement of such livestock.";

And that the same do pass as amended;

That consideration of House Bill No. 173 be passed for the day;

That Substitute House Bills Nos. 350, 351 and 353 do pass.

That consideration of House Bill No. 217 be passed until the evening session;

That House Bill No. 367 do pass;

That House Bill No. 202 be amended as follows:

Amend Section 3 by striking out all the matter contained in lines 10, 11 and 12 thereof.

Amend the title by striking out the word "Constables" in line 10 thereof.

And that the same do pass as amended.

TOOMEY, Chairman.

It was moved by Toomey, duly seconded, that the report of the Committee of the Whole be adopted.

On Substitute motion, it was moved by Curran, duly seconded, that Substitute House Bill No. 100 be segregated from the report of the Committee of the Whole.

A roll call, to be entered in the Journal, was requested by the required number and motion lost by the following vote:

Ayes: Beazley, Beck, Bjorneby, Busch, Cannon, Castles, Clifford, Cummings, Curran, Dahlquist, Eggenberger, Friedl, Green, Gunderson, Harken, Holding, Hess, James, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nash, Nelson, Newell, Oliver, Parker of Cascade, Petersen, Phelan, Rice, Saylor, Spiegel, Stevens, Toole, Vanek, White. Total 37.

Noes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Blenkner, Burke, Byrne, Davey, Dougherty, Esp, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, Martin of Madison, Miller, Morrow, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Toomey, Tyler, Wilson, Winters, Zuck, Mr. Speaker. Total 52.

Absent and not voting: Antrim, Banka, Carlson, Cole, Dillavou, Fewkes, Hageman, Lippard, McMichael, Tonn, Watson, Welcome, Williams. Total 13.

Whereupon the report of the Committee of the Whole was adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day refused to grant the request of the House for the return to the House of H. B. No. 340.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 252, 301, 63, beg leave to report that the same have this date been returned from the printer correctly printed.

Report adopted.

BECK, Chairman.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 3:20 P. M.—House Bills Nos. 47, 90, 101, 113, 188, 365 and House Joint Memorial No. 7.

Report adopted.

COLE, Chairman.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 153, 168.

Report adopted.

COLE, Chairman.

I have examined House Bill No. 168 introduced by me and find the same to be correct.

PHELAN.

I have examined House Bill No. 153 introduced by me and find the same to be correct.

ANTRIM.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 366, 346, 338, and 202.

Report adopted.

SAYLOR, Chairman.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred Substitute House Bill Nos. 144 and 364, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 365, making additional appropriation for the Twenty-seventh Legislative Assembly.

SAM C. FORD,
Governor.

The Speaker signed House Bill No. 153 and Substitute House Bill No. 168 in Open Session.

THIRD READING

The following were introduced, read first and second times and referred to committees; all appropriation measures having been read at length:

House Bill No. 366 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 89.

Noes: Goodwin. Total 1.

Absent and not voting: Davey, Dillavou, Holding, Hunter, Potter, Reed, Simpson, Stevens, Tyler, Watson, Welcome, Zuck. Total 12.

House Bill No. 232 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cummings, Curran, Dahlquist, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, Williams, Wilson, Winters, Mr. Speaker. Total 85.

Noes: Kirscher, Morrow, Nash, Parker of Cascade, Zuck. Total 5.

Absent and not voting: Cannon, Clifford, Cole, Davey, Dillavou, Holding, Reed, Simpson, Tyler, Watson, Welcome, White. Total 12.

House Bill No. 314 passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 82.

Noes: Aronson, Dougherty, Horrigan, Kemmis, Lynch, Petersen, Potter, Simpson, Tyler. Total 9.

Absent and not voting: Antrim, Cannon, Carlson, Dillavou, Holding, James, Kirscher, Lippard, Reed, Watson, Welcome. Total 11.

House Bill No. 316 was passed by the following vote:

Ayes: Anderson, Anson, Aronson, Banka, Beazley, Beck, Bjerneby, Burke, Busch, Castles, Clifford, Cole, Dahlquist, Davey, Dougherty, Fewkes, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Harken, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lynch, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Roehl, Scott, Spiegel, Stevens, Toomey, Vanek, White, Zuck. Total 60.

Noes: Allen, Ballard, Blenkner, Carlson, Cummings, Eggenberger, Esp, Gebhardt, Hageman, Hammond, Harrison, Hazelbaker, McDaniel, Newell, O'Connor, Potter, Scofield, Simpson, Toole, Williams, Wilson, Winters, Mr. Speaker. Total 23.

Absent and not voting: Ahern, Antrim, Armstrong, Byrne, Cannon, Curran, Dillavou, Lippard, Lowe, McMichael, Murray, Nash, Reed, Rice, Saylor, Tonn, Tyler, Watson, Welcome. Total 19.

House Bill No. 177 passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Carlson, Castles, Clifford, Cole, Cummings, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Miller, Morrow, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 85.

Noes: Mernin. Total 1.

Absent and not voting: Antrim, Byrne, Cannon, Curran, Dillavou, Gebhardt, Lehrkind, Loughran, Martin of Madison, Murray, Nash, Reed, Toomey, Tyler, Watson, Welcome. Total 16.

House Bill No. 253 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Carlson, Castles, Cummings, Davey, Dahlquist, Dougherty, Eggenberger, Esp, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 79.

Noes: Goodwin, Mernin, Simpson, Spiegel. Total 4.

Absent and not voting: Allen, Antrim, Byrne, Clifford, Cole, Curran, Dillavou, Fewkes, LaBonte, Lynch, Morrow, Murray, Nash, Parker of Cascade, Petersen, Saylor, Tonn, Watson, Welcome. Total 19.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Anson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of House Bill No. 301 be passed for the day;

That the enacting clause be stricken from House Bills Nos. 263 and 262;

That House Bill No. 261 do pass;

That House Bill No. 50 be amended as follows: Amend Section 2, Clause G, by striking out in lines 30 and 31 the following: "but shall include all soaps which are sold or advertised as possessing special beautifying properties, vitamins or any claims other than for cleansing." and inserting in lieu thereof the words "as such." after the word "soap" in line 30;

Further amend Section 2 by striking out in line 14 on page 2 the semicolon after the word "animals" and insert in lieu thereof a comma and adding the following words: "provided further the term drugs shall not be construed as applying to any drug used by any regularly licensed practitioner in the practice of his profession;"

Amend by striking all of Section 33; and that the same do pass, as amended.

ANSON, Chairman.

It was moved by Anson, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by O'Connor, duly seconded, that House Bill No. 262 be segregated from the report of the Committee of the Whole.

A roll call, to be entered in the Journal, was requested by the required number, and motion to segregate House Bill No. 262 carried by the following vote:

Ayes: Anson, Ballard, Beazley, Burke, Cannon, Clifford, Cummings, Curran, Dougherty, Fewkes, Forbregd, Freshman, Gebhardt, Green, Hageman, Hammond, Harrison, Holding, Horrigan, Laubach, Lehrkind, Lippard, Loughran, McGreevey, McMichael, Martin of Madison, Mernin, Morrow,

Murray, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Phelan, Potter, Rasmussen, Roehl, Saylor, Stevens, White, Williams, Wilson, Mr. Speaker. Total 45.

Noes: Anderson, Antrim, Aronson, Banka, Beck, Bjorneby, Busch, Castles, Cole, Dahlquist, Davey, Eggenberger, Esp, Flook, Friedl, Harken, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Lowe, Lynch, McDaniel, McKenna, Martin of Fergus, Miller, Nelson, Parker of Flathead, Parker of Cascade, Petersen, Reed, Rice, Scott, Simpson, Spiegel, Toomey, Tyler, Vanek, Winters, Zuck. Total 42.

Absent and not voting: Ahern, Allen, Armstrong, Blenkner, Byrne, Carlson, Dillavou, Goodwin, Gunderson, Hazelbaker, Scofield, Tonn, Toole, Watson, Welcome. Total 15.

Whereupon the report of the Committee of the Whole was adopted as amended.

THIRD READING

House Bill No. 104, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahern, Allen, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Dahlquist, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Nelson, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, Tyler, White, Wilson, Winters, Zuck, Mr. Speaker. Total 80.

Noes: Anderson, Simpson, Tonn. Total 3.

Absent and not Voting: Antrim, Byrne, Curran, Davey, Dillavou, Freshman, Gebhardt, Hess, Horrigan, Martin of Madison, Murray, Nash, Oliver, Parker of Flathead, Reed, Vanek, Watson, Welcome, Williams. Total 19.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Friday, February 21, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-SEVENTH DAY

House of Representatives,
Helena, Montana,
February 21, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Tonn, Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Forty-sixth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 369, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 367 and Substitute House Bill No. 64.

SAYLOR, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 126, by Committee on Banks and Banking.

H. B. No. 167, by Busch.

H. B. No. 307, by Committee on Judiciary.

I am directed by the Senate to inform your Honorable Body that H. B. No. 128, by Goodwin, Scofield and Oliver, was this day recommended for non-concurrence in the Senate, and bill is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that H. B. No. 35, by Toole, was this day read third time and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in the Senate amendments.

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

Sub. S. B. No. 50, by Judiciary Committee.

Sub. S. B. No. 85, by Stockgrowing and Grazing Committee.

S. B. No. 100, by Dahl.

S. B. No. 109, by Dahl and Clayton.

S. B. No. 112, by Committee on Fish and Game.

Sub. S. B. No. 116, by Committee on Counties and Towns.

S. B. No. 130, by Findlater.

S. B. No. 132, by Maddox and Robinson.

S. B. No. 137, by Angvick.

S. B. No. 142, by Drumheller.

S. B. No. 145, by Gilbert and Lott.

S. B. No. 147, by Morrison and Mahoney.

S. B. No. 148, by Bateman.

S. B. No. 160, by Mahoney and Morrison.

S. B. No. 183, by Mundy.

S. B. No. 184, by Haight, et al.

Sub. S. B. No. 189, by Committee on State and County Economies.

S. J. M. No. 15, by Maddox.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Phelan, duly seconded and carried, that the House reconsider its action on House Bill No. 194.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Joint Memorial No. 11 was passed by the following vote:

Ayes: Allen, Anderson, Antrim, Banka, Beazley, Beck, Bjerneby, Blenker, Busch, Byrne, Carlson, Castles, Clifford, Curran, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Tyler, Vanek, White, Wilson, Winters, Ballard, Mr. Speaker. Total 71.

Absent and not voting: Ahern, Anson, Armstrong, Aronson, Burke, Cannon, Cole, Cummings, Dahlquist, Dougherty, Freshman, Goodwin, Green, Hammond, Horrigan, James, Kirscher, Lippard, Murray, O'Brien, Oliver, Petersen, Potter, Rice, Simpson, Tonn, Toomey, Watson, Welcome, Williams, Zuck. Total 31.

House Bill No. 170 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Ballard, Beck, Bjerneby, Blenker, Byrne, Cannon, Castles, Clifford, Cole, Curran, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Tyler, Vanek, White, Wilson, Winters, Mr. Speaker. Total 73.

Noes: Busch. Total 1.

Absent and not voting: Anson, Armstrong, Aronson, Banka, Beazley, Burke, Carlson, Cummings, Dahlquist, Dougherty, Freshman, Goodwin, Green, Horrigan, James, Kirscher, Lippard, Murray, Newell, Parker of Flathead, Rice, Simpson, Tonn, Toomey, Watson, Welcome, Williams, Zuck. Total 28.

Substitute House Bill No. 139 was passed by the following vote:

Ayes: Ahern, Anderson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hunter, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Stevens, Toole, Tyler, Vanek, White, Wilson, Winters. Total 71.

Noes: Allen, Cannon, Gunderson, Holding, Hess, Kemmis, Parker of Cascade, Spiegel. Total 8.

Absent and not voting: Anson, Armstrong, Dougherty, Friedl, Goodwin, Green, Horrigan, James, Kirscher, Lippard, McMichael, Mernin, Murray, Parker of Flathead, Rice, Simpson, Tonn, Toomey, Watson, Welcome, Williams, Zuck, Mr. Speaker. Total 23.

House Bill No. 235 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, White, Williams, Wilson, Winters, Zuck. Total 84.

Noes: Vanek, Mr. Speaker. Total 2.

Absent and not voting: Anson, Beazley, Curran, Holding, Kirscher, Lippard, Morrow, Murray, Nash, Parker of Flathead, Reed, Tonn, Toomey, Tyler, Watson, Welcome. Total 16.

House Bill No. 202, being a Constitutional Amendment, and having been read three several times, history and title agreed to, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions thereof, the bill is set forth in its entirety as follows:

HOUSE BILL NO. 202. INTRODUCED BY COMMITTEE ON JUDICIARY.

A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana making the terms of office of certain elective and appointive officers, not enumerated in Sections 4 and 5 of Article XVI of the said Constitution, as amended by the adoption of the provisions of Chapter 93 of the Session Laws of 1937, conform to such amendment by the amendment of Sections 19 and 20 of Article VIII and Section 6 of Article XVI of said Constitution, relating to the terms of office of County Auditors, County Attorneys, Justices of the Peace, and Municipal Officers."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Sections 19 and 20 of Article VIII and Section 6 of Article XVI of the Constitution of the State of Montana be amended as

hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held in November, 1942.

Section 2. That Section 19 of Article VIII of the Constitution of the State of Montana, be, and the same is hereby amended, so as to read as follows:

"Section 19. There shall be elected at the general election in each county of the state one (1) county attorney, whose qualifications shall be the same as are required for a judge of the district court, except that he must be over twenty-one (21) years of age, but need not be twenty-five (25) years of age, and whose term of office shall be four (4) years, and until their successors are elected and qualified. He shall have a salary to be fixed by law, one-half of which shall be paid by the state, and the other half by the county for which he is elected, and he shall perform such duties as may be required by law."

Section 3. That Section 20 of Article VIII of the Constitution of the State of Montana, be, and the same is hereby amended, so as to read as follows:

"Section 20. There shall be elected in each organized township of each county by the electors of such township at least two (2) justices of the peace, who shall hold their offices, except as otherwise provided, in this Constitution, for the term of four (4) years. Justices' court shall have such original jurisdiction within their respective counties as may be prescribed by law, except as in this Constitution otherwise provided; provided, that they shall not have jurisdiction in any case where the debt, damage, claim or value of the property involved exceeds the sum of three hundred (\$300.00) dollars.

Section 4. That Section 6 of Article XVI of the Constitution of the State of Montana, be, and the same is hereby amended so as to read as follows:

"Section 6. The Legislative Assembly may provide for the election or appointment of such other county township, precinct and municipal officers as public convenience may require and their terms of office shall be as prescribed by law, not in any case to exceed four (4) years, except as in this Constitution otherwise provided."

Section 5. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot provided by Section 678 of the Revised Codes of Montana, 1935, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

☐

FOR THE ABOVE AMENDMENT.

☐

AGAINST THE ABOVE AMENDMENT.

The elector shall designate his preference for either of the propositions by marking an "X" before the proposition for which he desires to vote.

Section 6. The vote cast for and against the amendment herein proposed shall be counted, canvassed and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the Governor of the State shall so declare by public proclamation, and the amendment shall be in full force and effect as a part of the Constitution from and after the date of such proclamation.

Section 7. This act shall be in full force and effect from and after its passage and approval.

House Bill No. 202 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Miller, Nelson, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scott, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Winters, Zuck, Cannon, Mr. Speaker. Total 76.

Noes: Dahlquist, Esp, Forbregd, Green, Hazelbaker, Holding, Hess, Horrigan, Laubach, Martin of Madison, Morrow, Scofield, Simpson, Wilson. Total 14.

Absent and not voting: Beazley, Mernin, Murray, Nash, Oliver, Parker of Flathead, Rice, Saylor, Spiegel, Tonn, Watson, Welcome. Total 12.

House Bill No. 287 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Hunter, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 77.

Absent and not voting: Anson, Armstrong, Burke, Dougherty, Gebhardt, Goodwin, Green, Horrigan, James, Kemmis, Kirscher, Lehrkind, Morrow, Murray, Newell, O'Connor, Parker of Flathead, Rice, Simpson, Tonn, Toomey, Watson, Welcome, Zuck. Total 25.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Blenkner in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 217 be amended as follows:

Amend Section 5, in line 11, by changing the period after the word "association" to a comma and adding the words—"or optometrical services as approved by the Montana Optometric Association.";

And as amended, that the same do pass;

That consideration of House Bill No. 173 be passed until the afternoon session;

That the enacting clause be stricken from House Bill No. 301;

That House Bill No. 262 be amended as follows:

Amend the title by striking out in lines 6, 7, 8, 9 and 10, the following: "Providing for the licensing of liquor to be sold at retail in the ori-

ginal package only and to be consumed off the premises; providing the conditions, terms and limitations under which licenses may be issued therefor;"

Amend Section 1 by striking out all of line 65 to and including line 93, and re-lettering sub-section "o" as sub-section "l";

And that the same do pass, as amended.

BLENKNER, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:20 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 10:05 A. M.: House Bills Nos. 153, 168.

COLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 291, 353, 324, 129, 238, and Substitute House Bill No. 350.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 126, 167, and 307.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 126 introduced by me and find the same to be correct.

LEHRKIND.

I have examined House Bill No. 167 introduced by me and find the same to be correct.

BUSCH.

I have examined House Bill No. 307 introduced by me and find the same to be correct.

TOOLE,

The Speaker signed House Bills Nos. 126, 167 and 307 in Open Session.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 292, respectfully report as follows: That House Bill No. 292 do not pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 do not pass.

DOUGHERTY, Chairman.

It was moved by Dougherty, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by Dillavou, duly seconded, that House Bill No. 203 be placed on General Orders. Motion lost. Whereupon report of the Committee on Appropriations on House Bill No. 203 was adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165 do not pass.

DOUGHERTY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

H. B. No. 117, by Cummings, et al.

H. B. No. 166, by Committee on Labor

H. B. No. 234, by Clifford, et al.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Dillavou, duly seconded, that the House reconsider its action in adopting the adverse report of the Committee on Appropriations on House Bill No. 203.

A roll call, to be entered in the Journal, was requested by the required number and motion lost by the following vote:

Ayes: Anderson, Armstrong, Blenkner, Busch, Byrne, Davey, Dillavou, Eggenberger, Fewkes, Flook, Gebhardt, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, LaBonte, Lowe, Lynch, McMichael, Martin of Madison, Morrow, Newell, O'Connor, Parker of Flathead, Parker of Cascade, Petersen, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Toomey, Tyler, Williams, Wilson. Total 38.

Noes: Allen, Anson, Aronson, Ballard, Banka, Beazley, Bjerneby, Cannon, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Dougherty, Forbregd, Freshman, Friedl, Green, Holding, Hess, James, Kirscher, Laubach, Lippard, Loughran, McDaniel, McGreevey, McKenna, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Phelan, Potter, Saylor, Simpson, Spiegel, Toole, Vanek, White, Winters, Zuck, Beck, Mr. Speaker. Total 50.

Absent and not voting: Ahern, Antrim, Burke, Castles, Esp, Goodwin, Horrigan, Hunter, Kemmis, Lehrkind, Stevens, Tonn, Watson, Welcome. Total 14.

It was moved by O'Connor, duly seconded, that the House request the Honorable Senate for the return of Senate Bill No. 91 for further consideration. Motion lost.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 231, respectfully report as follows: That House Bill No. 231 do not pass.

ARONSON, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

O'Connor in the Chair. Committee arose with leave to sit again.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of House Bill No. 173 be passed temporarily;

That House Bill No. 362 do pass;

That Substitute House Bill No. 364 be amended as follows:

Amend Section 5 by striking out in line 1 thereof the word and figure "Section 5" and insert in lieu thereof the word and figure "Section 6";

Amend Section 4, line 1—by striking out the words "Section 2" and insert in lieu thereof "Section 5";

Amend the title by adding after the phrase "relating thereto" in line 6 the words "relating to the payment of bounty claims, and"

and as amended, that the same do pass;

That Substitute House Bill No. 144 do pass.

O'CONNOR, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Armstrong, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of House Bill No. 173 be passed temporarily;

That House Bill No. 252 do pass;

That consideration of House Bill No. 63 be passed temporarily;

That House Bill No. 344 do pass;

That House Bill No. 357 be amended as follows:

Amend Section 1, line 6 by inserting after the word "include" the words "only those"; and as amended, that the same do pass;

That House Bill No. 369 do pass;

That House Bill No. 181 do pass;

That House Bill No. 173 be amended as follows:

Amend Section 3 by striking out in line 48 the word and figure "eight (8)" and insert in lieu thereof the word and figure "four (4)";

Amend by renumbering Section 7, page 14, line 32 to Section 9; Section 8, page 17, line 4, to Section 10; Section 9, page 23, line 20 to Section 11 and Section 10, page 23, line 22 to Section 12;

and that the same do pass as amended;

That House Bill No. 63 be amended as follows:

Amend Section 1 by striking out in line 9 after the word "fever" the words "or other diseases" and insert in lieu thereof the words "and heart diseases";

In line 9 after the word "from" strike the words "spinal meningitis"; and in line 10 after the word "that", strike out the words "have or may be expected to" and insert in lieu thereof the word "are" and that the same do pass as amended;

O'CONNOR, Chairman.

It was moved by O'Connor, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by McKenna, duly seconded, that House Bill No. 252 be segregated from the report of the Committee of the Whole.

A Call of the House was demanded by the required number. After the Clerk called the roll, on motion, duly seconded and carried, further Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number and motion to segregate House Bill No. 252 from the report of the Committee of the Whole lost by the following vote:

Ayes: Beazley, Beck, Bjorneby, Cannon, Clifford, Cummings, Curran, Dahlquist, Gunderson, Holding, Hess, McGreevey, McKenna, Martin of Ferguson, Mernin, Murray, Nash, Nelson, Parker of Cascade, Phelan, Spiegel, Toole, Tyler, Mr. Speaker. Total 24.

Noes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Harken, Harrison, Hazelbaker, Horigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Toomey, Vanek, White, Williams, Wilson, Winters. Total 70.

Absent and not voting: Anson, Dougherty, Green, Morrow, Tonn, Watson, Welcome, Zuck. Total 8.

Whereupon, report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 2:10 P. M.: House Bills Nos. 126, 167, and 307.

COLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 336, 298, 239, and 283 and Substitute House Bill No. 351.

SAYLOR, Chairman.

Report adopted.

Speaker Pro Tem in the Chair.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 237 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Rice, Roehl, Saylor, Scott, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, Williams, Winters, Potter. Total 82.

Noes: Kemmis, Scofield, Simpson, Mr. Speaker. Total 4.

Absent and not voting: Anson, Beazley, Clifford, Cummings, Dougherty, Mernin, Murray, O'Connor, Parker of Flathead, Reed, Tonn, Watson, Welcome, White, Wilson, Zuck. Total 16.

House Bill No. 248 was passed by the following vote:

Ayes: Antrim, Armstrong, Aronson, Ballard, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Curran, Davey, Dillavou, Eggenberger, Fewkes, Flook, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harrison, Hazelbaker, Hunter, LaBonte, Lowe, McKenna, McMichael, Martin of Madison, Miller, Morrow, Nash, Newell, Oliver, Parker of Wibaux, Petersen, Phelan, Potter, Rice, Roehl, Saylor, Scott, Simpson, Stevens, Toole, Tyler, Winters, Harken. Total 52.

Noes: Ahern, Banka, Beck, Dahlquist, Esp, Forbregd, Gunderson, Hammond, Holding, Hess, Horrigan, James, Kemmis, Kirscher, Lippard, Loughran, McDaniel, Martin of Fergus, Nelson, O'Brien, Parker of Cascade, Rasmussen, Vanek, White, Williams, Wilson, Zuck. Total 27.

Absent and not voting: Allen, Anderson, Anson, Beazley, Clifford, Cummings, Dougherty, Laubach, Lehrkind, Lynch, McGreevey, Mernin, Murray, O'Connor, Parker of Flathead, Reed, Scofield, Spiegel, Tonn, Toomey, Watson, Welcome, Mr. Speaker. Total 23.

House Bill No. 249 was passed by the following vote:

Ayes: Ahern, Allen, Antrim, Armstrong, Aronson, Ballard, Banka, Bjorneby, Blenkner, Burke, Busch, Cannon, Castles, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison,

Martin of Fergus, Mernin, Morrow, Nelson, Newell, Oliver, Parker of Wibaux, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Tyler, Vanek, Williams, Wilson, Winters. Total 72.

Noes: Gunderson, Loughran, McGreevey, Miller, O'Brien, Parker of Cascade. Total 6.

Absent and not voting: Anderson, Anson, Beazley, Beck, Byrne, Carlson, Clifford, Cole, Cummings, Dougherty, Hunter, Lehrkind, Lippard, Murray, Nash, O'Connor, Parker of Flathead, Tonn, Toomey, Watson, Welcome, White, Zuck, Mr. Speaker. Total 24.

House Bill No. 256 was passed by the following vote:

Ayes: Ahern, Anderson, Armstrong, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Curran, Dahlquist, Davey, Flook, Forbregd, Freshman, Friedl, Goodwin, Gunderson, Harken, Holding, Hess, Horrigan, James, Kemmis, Laubach, Lehrkind, Loughran, Lynch, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Stevens, Toole, Toomey, Vanek, White. Total 55.

Noes: : Allen, Carlson, Dillavou, Eggenberger, Esp, Fewkes, Green, Hageman, Hammond, Hazelbaker, LaBonte, Lowe, McDaniel, Martin of Madison, Miller, Newell, Potter, Scofield, Simpson, Williams, Wilson, Winters. Total 22.

Absent and not voting: Anson, Antrim, Aronson, Beazley, Clifford, Cole, Cummings, Dougherty, Gebhardt, Harrison, Hunter, Kirscher, Lippard, Morrow, Murray, O'Connor, Parker of Flathead, Petersen, Rasmussen, Tonn, Tyler, Watson, Welcome, Zuck, Mr. Speaker. Total 25.

House Bill No. 257 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Gunderson, Hammond, Harken, Holding, Hess, James, Laubach, Lehrkind, Lippard, Loughran, Lynch, McGreevey, McKenna, Martin of Fergus, Mernin, Nash, Nelson, Oliver, Parker of Flathead, Parker of Cascade, Phelan, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Stevens, Toole, Toomey, Vanek, White. Total 57.

Noes: Aronson, Carlson, Esp, Fewkes, Green, Hageman, Hazelbaker, Horrigan, Kemmis, LaBonte, Lowe, McDaniel, McMichael, Martin of Madison, Miller, Newell, O'Brien, Potter, Scofield, Simpson, Williams, Wilson, Winters. Total 23.

Absent and not voting: Anson, Antrim, Beazley, Clifford, Cole, Dougherty, Friedl, Harrison, Hunter, Kirscher, Morrow, Murray, O'Connor, Parker of Wibaux, Petersen, Rasmussen, Tonn, Tyler, Watson, Welcome, Zuck, Mr. Speaker. Total 22.

House Bill No. 258 was passed by the following vote:

Ayes: Ahern, Anderson, Armstrong, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cummings, Curran, Davey, Dillavou, Eggenberger, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hammond, Harken, Holding, Hess, Hunter, Kirscher, Laubach, Lehrkind, Loughran, Lynch, McGreevey, McKenna, Martin of Fergus, Mernin, Nash, Nelson, O'Brien, Oliver, Parker of Flathead, Parker of Cascade, Phelan, Rasmussen, Reed, Rice, Saylor, Scott, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White. Total 58.

Noes: Allen, Aronson, Carlson, Esp, Fewkes, Green, Hageman, Hazelbaker, Horrigan, Kemmis, LaBonte, Lowe, McDaniel, Martin of Madison, Miller, Newell, Potter, Roehl, Scofield, Simpson, Williams, Wilson, Winters. Total 23.

Absent and not voting: Anson, Antrim, Beazley, Clifford, Cole, Dahlquist, Dougherty, Harrison, James, Lippard, McMichael, Morrow, Murray, O'Connor, Parker of Wibaux, Petersen, Tonn, Watson, Welcome, Zuck, Mr. Speaker. Total 21.

Substitute House Bill No. 64 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Dillavou, Dougherty, Eggenberger, Esp, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, Horrigan, James, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McKenna, Martin of Madison, Mernin, Morrow, Nash, Newell, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters. Total 69.

Noes: Beazley, Dahlquist, Davey, Fewkes, Green, McGreevey, Martin of Fergus, Miller, Nelson, Oliver, Saylor, Simpson, Spiegel, Vanek, Zuck. Total 15.

Absent and not voting: Anderson, Antrim, Clifford, Cole, Harrison, Hunter, Kemmis, Lippard, McMichael, Murray, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Tonn, Watson, Welcome, Mr. Speaker. Total 18.

House Bill No. 129 was passed by the following vote:

Ayes: Ahern, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Holding, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Morrow, Nash, O'Brien, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Rice, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, Tyler, White, Winters, Zuck. Total 74.

Noes: Green, Miller, Newell, Simpson, Vanek, Wilson. Total 6.

Absent and not voting: Allen, Anderson, Carlson, Dillavou, Harrison, Hess, Horrigan, Loughran, Lowe, Murray, Nelson, O'Connor, Parker of Wibaux, Reed, Roehl, Tonn, Watson, Welcome, Williams, Mr. Speaker. Total 20.

Passed: Hazelbaker, Martin of Madison. Total 2.

House Bill No. 238 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Beazley, Beck, Bjerneby, Burke, Busch, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, White, Williams, Wilson, Winters, Zuck. Total 77.

Noes: Esp, Hageman, Simpson. Total 3.

Absent and not voting: Ahern, Antrim, Banka, Blenkner, Byrne, Clifford, Dillavou, Hazelbaker, Horrigan, Kemmis, Loughran, Lowe, Murray, O'Connor, Parker of Flathead, Roehl, Tonn, Tyler, Vanek, Watson, Welcome, Mr. Speaker. Total 22.

House Bill No. 330 was passed by the following vote:

Ayes: Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Burke, Byrne, Carlson, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Lowe, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Rice, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, White, Williams, Wilson, Winters, Zuck. Total 74.

Noes: Busch, Simpson. Total 2.

Absent and not voting: Ahern, Allen, Antrim, Beazley, Blenkner, Cannon, Clifford, Cole, Forbregd, Horrigan, Lehrkind, Loughran, Lynch, McGreevey, Mernin, Murray, O'Connor, Oliver, Reed, Roehl, Tonn, Tyler, Vanek, Watson, Welcome, Mr. Speaker. Total 26.

House Joint Memorial No. 8 was passed by the following vote:

Ayes: Anderson, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hunter, James, Kemmis, Kirscher, LaBonte, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Tyler, Williams, Wilson, Winters, Zuck. Total 71.

Absent and not voting: Ahern, Allen, Anson, Antrim, Beazley, Blenkner, Burke, Clifford, Dillavou, Hess, Horrigan, Laubach, Lehrkind, Lippard, Loughran, McGreevey, Martin of Fergus, Mernin, Murray, O'Connor, Rasmussen, Reed, Roehl, Tonn, Toomey, Vanek, Watson, Welcome, White, Mr. Speaker. Total 30.

Passed: Morrow. Total 1.

House Joint Memorial No. 9 was passed by the following vote:

Ayes: Anderson, Anson, Armstrong, Aronson, Ballard, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck. Total 75.

Absent and not voting: Ahern, Allen, Antrim, Banka, Beazley, Clifford, Cummings, Dillavou, Goodwin, Horrigan, Hunter, Laubach, Lippard, Loughran, McGreevey, Mernin, Murray, O'Connor, Rasmussen, Reed, Roehl, Tonn, Vanek, Watson, Welcome, Mr. Speaker. Total 26.

Passed: Morrow. Total 1.

House Joint Memorial No. 12 was passed by the following vote:

Ayes: Anderson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Carlson, Castles, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Laubach, Lehrkind, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Flathead, Petersen, Phelan, Potter, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck. Total 69.

Absent and not voting: Ahern, Allen, Anson, Antrim, Beazley, Byrne, Clifford, Cole, Cummings, Esp, Goodwin, Hammond, Horrigan, Hunter, Kirscher, LaBonte, Lippard, Loughran, McGreevey, Mernin, Murray, O'Connor, Parker of Wibaux, Parker of Cascade, Rasmussen, Reed, Roehl, Tonn, Vanek, Watson, Welcome, Mr. Speaker. Total 32.

Passed: Morrow. Total 1.

House Bill No. 239 was passed by the following vote:

Ayes: Anderson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Freshman, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck. Total 76.

Noes: Friedl. Total 1.

Absent and not voting: Ahern, Allen, Anson, Antrim, Beazley, Clifford, Cummings, Forbregd, Goodwin, Horrigan, Hunter, Lippard, McGreevey, Mernin, Morrow, Murray, O'Connor, Rasmussen, Reed, Roehl, Tonn, Vanek, Watson, Welcome, Mr. Speaker. Total 25.

Substitute House Bill No. 279 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Flook, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rice, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck. Total 74.

Noes: Cannon, Esp, Simpson. Total 3.

Absent and not voting: Antrim, Beazley, Byrne, Clifford, Eggenberger, Forbregd, Goodwin, Horrigan, Hunter, Lippard, McGreevey, Mernin, Morrow, Murray, O'Connor, Parker of Cascade, Rasmussen, Reed, Roehl, Tonn, Vanek, Watson, Welcome, Mr. Speaker. Total 24.

Passed: Hazelbaker. Total 1.

House Bill No. 283 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp,

Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, James, Kemmis, LaBonte, Laubach, Lehrkind, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, Zuck. Total 78.

Absent and not voting: Antrim, Aronson, Beazley, Clifford, Eggenberger, Harrison, Horrigan, Hunter, Kirscher, Lippard, Loughran, McGreevey, Mernin, Morrow, Murray, O'Connor, Parker of Cascade, Petersen, Rasmussen, Tonn, Watson, Welcome, Williams, Mr. Speaker. Total 24.

House Bill No. 289 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Ballard, Beck, Bjerneby, Burke, Cannon, Carlson, Castles, Cole, Dahlquist, Davey, Dillavou, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Hageman, Harken, Harrison, Holding, Hess, James, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, McKenna, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Rice, Roehl, Saylor, Scott, Spiegel, Stevens, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 59.

Noes: Aronson, Banka, Blenkner, Busch, Byrne, Cummings, Curran, Dougherty, Esp, Gebhardt, Gunderson, Hammond, Hazelbaker, Hunter, Lynch, McDaniel, Potter, Reed, Scofield, Simpson, Toole, White. Total 22.

Absent and not voting: Allen, Antrim, Armstrong, Beazley, Clifford, Horrigan, Kemmis, Lippard, Lowe, McGreevey, McMichael, Mernin, Morrow, Murray, O'Connor, Parker of Cascade, Rasmussen, Tonn, Watson, Welcome, Mr. Speaker. Total 21.

House Bill No. 194 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Aronson, Ballard, Banka, Bjerneby, Blenkner, Burke, Cannon, Carlson, Castles, Cummings, Curran, Davey, Dillavou, Dougherty, Esp, Fewkes, Freshman, Friedl, Goodwin, Green, Gunderson, Hammond, Harken, Hazelbaker, Holding, James, Kemmis, Laubach, Lehrkind, Lippard, Loughran, McMichael, Nash, O'Brien, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Potter, Reed, Rice, Scofield, Scott, Spiegel, Toole, Tyler, White, Winters, Zuck. Total 51.

Noes: Busch, Dahlquist, Eggenberger, Flook, Forbregd, Gebhardt, Hageman, Harrison, Hess, Hunter, Lowe, McDaniel, McKenna, Martin of Madison, Martin of Fergus, Miller, Nelson, Newell, Petersen, Phelan, Saylor, Simpson, Stevens, Toomey, Vanek, Williams, Wilson. Total 27.

Absent and not voting: Allen, Antrim, Armstrong, Beazley, Beck, Byrne, Clifford, Cole, Horrigan, Kirscher, LaBonte, Lynch, McGreevey, Mernin, Morrow, Murray, O'Connor, Oliver, Rasmussen, Roehl, Tonn, Watson, Welcome, Mr. Speaker. Total 24.

House Bill No. 291 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Fergus, Miller, Newell, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Potter, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters. Total 61.

Noes: Beck, Curran, Dahlquist, Hess, James, Kemmis, Kirscher, Lippard, McKenna, Martin of Madison, Nelson, O'Brien, Petersen, Phelan, Saylor, Vanek. Total 16.

Absent and not voting: Ahern, Antrim, Banka, Beazley, Bjorneby, Clifford, Cole, Goodwin, Holding, Horrigan, Hunter, McGreevey, Mernin, Morrow, Murray, Nash, O'Connor, Oliver, Rasmussen, Rice, Tonn, Watson, Welcome, Zuck, Mr. Speaker. Total 25.

House Bill No. 295 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Busch, Carlson, Castles, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Nelson, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Tyler, Vanek, White, Wilson, Winters, Mr. Speaker. Total 73.

Absent and not voting: Ahern, Antrim, Beazley, Burke, Byrne, Cannon, Clifford, Cole, Dahlquist, Goodwin, Holding, Horrigan, Lippard, McGreevey, Mernin, Morrow, Murray, Nash, Newell, O'Brien, O'Connor, Oliver, Rasmussen, Tonn, Toomey, Watson, Welcome, Williams, Zuck. Total 29.

House Bill No. 298 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, O'Connor, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 78.

Absent and not voting: Antrim, Beazley, Burke, Cannon, Clifford, Cole, Cummings, Goodwin, Holding, Horrigan, Hunter, Lehrkind, Lippard, McGreevey, Mernin, Morrow, Murray, Newell, O'Brien, Oliver, Rasmussen, Tonn, Watson, Welcome. Total 24.

It was moved by Byrne, duly seconded and carried, that further business on Third Reading be postponed until the evening session.

Mr. Speaker in the Chair.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:30 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed,

title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 169, by Burke and Cotter.
 S. B. No. 136, by Weinschrott, et al.
 S. B. No. 119, by Liggett, et al.
 S. B. No. 191, by Martinson.
 S. B. No. 173, by Ecton.
 S. B. No. 131, by Committee on Dairies and Dairying.
 Sub. S. B. No. 67, by Judiciary Committee.
 S. B. No. 162, by Cotter and Keeley.
 S. B. No. 106, by Robinson and Maddox.
 S. B. No. 192, by Morrison.
 Sub. S. B. No. 1, by Committee on Public Lands.
 S. B. No. 195, by Nutt, et al.
 S. B. No. 153, by Haight.
 S. B. No. 186, by Mundy.

Respectfully,

C. J. McALLISTER,
 Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 344, 63, 369, 181, 261, 262, 357, 252, and 217.

SAYLOR, Chairman.

Report adopted.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriations measures having been read at length:

House Bill No. 300 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Beazley, Beck, Bjerneby, Blenkner, Busch, Carlson, Castles, Clifford, Cole, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Friedl, Gebhardt, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Vanek, White, Wilson, Zuck, Mr. Speaker. Total 73.

Absent and not voting: Antrim, Banka, Burke, Byrne, Cannon, Cummings, Curran, Dahlquist, Forbregd, Freshman, Goodwin, Hageman, Hess, Hunter, Lehrkind, Morrow, Murray, Nash, O'Brien, Parker of Flathead, Rice, Roehl, Saylor, Toole, Tyler, Watson, Welcome, Williams, Winters. Total 29.

House Bill No. 305 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cole, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson,

Hammond, Harken, Hazelbaker, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Miller, Morrow, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Stevens, Tonn, Toomey, Vanek, White, Wilson, Zuck, Mr. Speaker. Total 75.

Noes: Holding, Hess, Kemmis, Mernin, Petersen, Spiegel, Tyler. Total 7.

Absent and not voting: Antrim, Banka, Carlson, Cummings, Dahlquist, Goodwin, Hageman, Harrison, Lehrkind, Martin of Madison, Murray, Nash, Parker of Flathead, Saylor, Simpson, Toole, Watson, Welcome, Williams, Winters. Total 20.

House Bill No. 309 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hammond, Harken, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Stevens, Tonn, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 81.

Noes: Harrison, Kemmis, Morrow, Rice, Simpson, Spiegel. Total 6.

Absent and not voting: Antrim, Banka, Carlson, Dahlquist, Goodwin, Hageman, Lehrkind, Murray, Nash, Newell, Parker of Flathead, Saylor, Toole, Watson, Welcome. Total 15.

House Bill No. 311 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cole, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Morrow, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Stevens, Tonn, Toomey, Tyler, White, Williams, Wilson, Zuck. Total 76.

Noes: Ballard, Cannon, Curran, Dahlquist, Esp, Martin of Madison, Miller, O'Connor, Scofield, Simpson, Spiegel, Winters, Mr. Speaker. Total 13.

House Bill No. 319 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cole, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Freshman, Friedl, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McKenna, Martin of Madison, Mernin, Miller, Morrow, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck. Total 76.

Noes: Banka, Curran, Forbregd, Holding, McGreevey, Martin of Fergus, Simpson, Mr. Speaker. Total 8.

Absent and not voting: Antrim, Carlson, Cummings, Dahlquist, Gebhardt, Goodwin, Hageman, Hess, Horrigan, Lynch, McMichael, Murray, Nash, Parker of Flathead, Toole, Vanek, Watson, Welcome. Total 18.

House Bill No. 323 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Ballard, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 81.

Noes: Banka, Beazley, Holding, McGreevey, Mernin, Simpson, Mr. Speaker. Total 7.

Absent and not voting: Antrim, Aronson, Carlson, Clifford, Dahlquist, Goodwin, Hammond, Hess, Lynch, Murray, Nash, Parker of Flathead, Watson, Welcome. Total 14.

House Bill No. 324 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters. Total 87.

Noes: Beazley, Zuck, Mr. Speaker. Total 3.

Absent and not voting: Antrim, Cannon, Carlson, Clifford, Goodwin, Holding, Kemmis, Murray, Nash, O'Connor, Watson, Welcome. Total 12.

House Bill No. 325 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Clifford. Total 81.

Noes: Anderson, Beazley, Eggenberger, Esp, Green, Lowe, Scofield, Simpson, Mr. Speaker. Total 9.

Absent and not voting: Antrim, Carlson, Cummings, Goodwin, Horrigan, James, Lynch, Murray, Nash, Watson, Welcome. Total 11.

Passed: Hazelbaker. Total 1.

House Bill No. 327 failed to pass by the following vote:

Ayes: Ahern, Anderson, Antrim, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Cannon, Castles, Clifford, Cole, Dahlquist, Davey, Friedl, Green, Gunderson, Harken, Holding, Hess, James, Lippard, Loughran, Lynch, McKenna, Martin of Fergus, Mernin, Nelson, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Saylor, Scott, Spiegel, Tonn, Tyler, Vanek, White, Zuck. Total 44.

Noes: Anson, Aronson, Burke, Busch, Byrne, Cummings, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Lowe, McDaniel, McGreevey, McMichael, Martin of Madison, Miller, Morrow, Newell, O'Brien, O'Connor, Oliver, Potter, Roehl, Scofield, Simpson, Stevens, Toole, Toomey, Williams, Wilson, Winters, Curran, Mr. Speaker. Total 48.

Absent and not voting: Allen, Armstrong, Carlson, Goodwin, Kirscher, Murray, Nash, Parker of Flathead, Watson, Welcome. Total 10.

House Bill No. 334 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Byrne, Cannon, Castles, Clifford, Cole, Cummings, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Morrow, Nelson, Newell, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, Zuck. Total 75.

Noes: Blenkner, Busch, Curran, Esp, Horrigan, Mernin, Miller, O'Brien, O'Connor, Oliver, Rasmussen, Williams, Mr. Speaker. Total 13.

Absent and not voting: Antrim, Armstrong, Burke, Carlson, Dahlquist, Goodwin, Kirscher, Lippard, Murray, Nash, Parker of Wibaux, Parker of Flathead, Watson, Welcome. Total 14.

House Bill No. 338 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Gunderson, Hageman, Harken, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Morrow, Nash, Newell, Oliver, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Vanek, White, Williams, Wilson, Winters. Total 74.

Noes: Beck, Davey, Green, Harrison, Loughran, McGreevey, Mernin, Miller, Nelson, O'Brien, Parker of Wibaux, Petersen, Rice, Scofield, Tonn, Tyler, Zuck. Total 17.

Absent and not voting: Dillavou, Goodwin, Hammond, Horrigan, Laubach, Lippard, Murray, O'Connor, Watson, Welcome, Mr. Speaker. Total 11.

House Bill No. 346 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Cannon, Carlson,

Castles, Clifford, Curran, Dahlquist, Davey, Dillavou, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, Laubach, Lehrkind, Lowe, Lynch, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 77.

Noes: Busch, Eggenberger, Forbregd, Green, Horrigan, Hunter, McDaniel, McMichael, Miller, Morrow, Rice, Simpson. Total 12.

Absent and not voting: Allen, Cole, Cummings, Dougherty, Goodwin, Hageman, LaBonte, Lippard, Loughran, Murray, O'Connor, Watson, Welcome. Total 13.

House Bill No. 336 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Beck, Bjorneby, Byrne, Castles, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Fewkes, Flook, Freshman, Gebhardt, Gunderson, Hammond, Harrison, Hazelbaker, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, Lynch, McDaniel, McMichael, Mernin, Nash, Newell, Parker of Flathead, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Roehl, Spiegel, Stevens, Toole, Williams, Wilson, Winters. Total 51.

Noes: Ballard, Banka, Beazley, Blenkner, Burke, Busch, Cannon, Carlson, Clifford, Davey, Eggenberger, Esp, Forbregd, Green, Hageman, Harken, Holding, Horrigan, Kemmis, Lehrkind, Lowe, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Morrow, Nelson, O'Brien, Oliver, Parker of Wibaux, Phelan, Rice, Saylor, Scofield, Scott, Simpson, Tonn, Toomey, Tyler, Vanek, White, Zuck. Total 43.

Absent and not voting: Freidl, Goodwin, Lippard, Murray, O'Connor, Watson, Welcome. Total 7.

Passed: Mr. Speaker. Total 1.

House Bill No. 349 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, White, Wilson, Winters, Clifford. Total 83.

Noes: Hageman, Holding, Morrow, Parker of Wibaux, Tyler, Williams, Zuck. Total 7.

Absent and not voting: Anderson, Busch, Gebhardt, Goodwin, Kemmis, McDaniel, Murray, O'Connor, Vanek, Watson, Welcome, Mr. Speaker. Total 12.

Substitute House Bill No. 350 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggen-

berger, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Parker of Flathead, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Wilson, Winters, Zuck. Total 80.

Absent and not voting: Ahern, Blenkner, Clifford, Cole, Forbregd, Goodwin, Gunderson, McGreevey, Martin of Madison, Mernin, Morrow, Murray, O'Connor, Oliver, Parker of Wibaux, Phelan, Scott, Watson, Welcome, White, Williams, Mr. Speaker. Total 22.

Substitute House Bill No. 353 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 81.

Absent and not voting: Ahern, Armstrong, Clifford, Dougherty, Goodwin, Horrigan, Loughran, McMichael, Mernin, Morrow, Murray, O'Brien, O'Connor, Parker of Flathead, Parker of Cascade, Petersen, Rice, Toole, Watson, Welcome, Mr. Speaker. Total 21.

Substitute House Bill No. 351 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 82.

Absent and not voting: Ahern, Cannon, Carlson, Clifford, Dougherty, Friedl, Goodwin, Horrigan, Lippard, Martin of Madison, Mernin, Morrow, Murray, O'Connor, Parker of Wibaux, Parker of Cascade, Toole, Tyler, Watson, Welcome. Total 20.

House Bill No. 63 was passed by the following vote:

Ayes: Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Reed, Roehl, Saylor, Scofield,

Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Anson, Mr. Speaker. Total 85.

Noes: James, Martin of Madison. Total 2.

Absent and not voting: Ahern, Davey, Eggenberger, Gebhardt, Goodwin, Loughran, Murray, O'Brien, Parker of Flathead, Petersen, Rasmussen, Rice, Toole, Watson, Welcome. Total 15.

House Bill No. 261 failed to pass by the following vote:

Ayes: Allen, Ballard, Beazley, Burke, Cannon, Cummings, Curran, Esp, Fewkes, Friedl, Gebhardt, Gunderson, Hammond, Holding, Horrigan, LaBonte, Lehrkind, Lippard, Martin of Madison, Nash, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Cascade, Phelan, Saylor, Scofield, Tonn, Toole, White, Williams, Wilson. Total 33.

Noes: Anderson, Anson, Antrim, Aronson, Banka, Beck, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Dahlquist, Eggenberger, Flook, Forbregd, Freshman, Green, Hageman, Harken, Harrison, Hess, Hunter, James, Kemmis, Kirscher, Laubach, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Miller, Morrow, Nelson, Oliver, Reed, Rice, Roehl, Scott, Simpson, Spiegel, Stevens, Toomey, Vanek, Winters, Zuck, Mr. Speaker. Total 52.

Absent and not voting: Ahern, Armstrong, Davey, Dillavou, Dougherty, Goodwin, Hazelbaker, Loughran, Mernin, Murray, Parker of Flathead, Petersen, Potter, Rasmussen, Tyler, Watson, Welcome. Total 17.

House Bill No. 344 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Banka, Beck, Blenkner, Byrne, Carlson, Cole, Curran, Dillavou, Dougherty, Eggenberger, Esp, Forbregd, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Harrison, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McMichael, Martin of Madison, Mernin, Morrow, Nash, Newell, O'Brien, Oliver, Parker of Flathead, Parker of Cascade, Reed, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toomey, Tyler, White, Williams, Wilson, Winters. Total 58.

Noes: Aronson, Ballard, Beazley, Bjorneby, Burke, Busch, Cannon, Castles, Clifford, Cummings, Dahlquist, Davey, Fewkes, Flook, Gunderson, Harken, Hazelbaker, Horrigan, Kemmis, Lehrkind, Lynch, McKenna, Martin of Fergus, Miller, Nelson, Parker of Wibaux, Phelan, Potter, Roehl, Simpson, Toole, Zuck, Mr. Speaker. Total 33.

Absent and not voting: Ahern, Goodwin, Lippard, Murray, O'Connor, Petersen, Rasmussen, Rice, Vanek, Watson, Welcome. Total 11.

House Bill No. 354 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Burke, Busch, Cannon, Carlson, Castles, Clifford, Cole, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gunderson, Hageman, Harken, Harrison, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, White, Wilson, Winters, Zuck. Total 75.

Noes: Lippard, Tonn, Williams. Total 3.

Absent and not voting: Ahern, Beazley, Blenkner, Byrne, Cummings, Dahlquist, Gebhardt, Goodwin, Green, Hammond, Hazelbaker, Horrigan,

Hunter, Lynch, Martin of Madison, Murray, Newell, O'Connor, Rasmussen, Rice, Vanek, Watson, Welcome, Mr. Speaker. Total 24.

House Bill No. 356 failed to pass by the following vote:

Ayes: Allen, Anson, Armstrong, Aronson, Ballard, Banka, Bjerneby, Cannon, Carlson, Castles, Dillavou, Eggenberger, Fewkes, Flook, Hammond, Harrison, Hazelbaker, Kemmis, Kirscher, LaBonte, Laubach, Loughran, McDaniel, McMichael, Oliver, Parker of Flathead, Potter, Roehl, Stevens, Toomey, White, Winters. Total 32.

Noes: Anderson, Antrim, Beazley, Beck, Blenkner, Burke, Busch, Byrne, Clifford, Cole, Curran, Dahlquist, Davey, Esp, Freshman, Green, Gunderson, Hageman, Harken, Holding, Hess, James, Lehrkind, Lowe, McGreevey, McKenna, Martin of Fergus, Mernin, Miller, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Saylor, Scofield, Scott, Simpson, Spiegel, Tonn, Toole, Tyler, Vanek, Williams, Wilson, Zuck. Total 50.

Absent and not voting: Ahern, Cummings, Dougherty, Forbregd, Friedl, Gebhardt, Goodwin, Horrigan, Hunter, Lippard, Lynch, Martin of Madison, Morrow, Murray, Newell, O'Connor, Rice, Watson, Welcome, Mr. Speaker. Total 20.

Substitute House Bill No. 363 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Ballard, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck, Anderson, Harrison. Total 77.

Noes: Banka, Green, Miller, Morrow. Total 4.

Absent and not voting: Aronson, Castles, Cummings, Dougherty, Friedl, Gebhardt, Goodwin, Horrigan, Hunter, Laubach, Murray, Newell, O'Connor, Rice, Saylor, Scofield, Spiegel, Vanek, Watson, Welcome. Mr. Speaker. Total 21.

House Bill No. 367 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Nelson, Newell, O'Brien, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Winters, Zuck. Total 72.

Noes: Beazley, Lippard, Lynch, McKenna, Miller, Morrow. Total 6.

Absent and not voting: Carlson, Clifford, Cummings, Eggenberger, Freshman, Friedl, Gebhardt, Goodwin, Harrison, Horrigan, Hunter, LaBonte, Mernin, Murray, Nash, O'Connor, Parker of Wibaux, Reed, Rice, Tyler, Watson, Welcome, Wilson, Mr. Speaker. Total 24.

House Bill No. 357 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Cole, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Wilson, Zuck. Total 82.

Noes: Tonn. Total 1.

Absent and not voting: Armstrong, Castles, Clifford, Curran, Gebhardt, Goodwin, Harrison, Horrigan, Hunter, Laubach, Murray, Parker of Flathead, Rice, Saylor, Watson, Welcome, Williams, Winters, Mr. Speaker. Total 19.

House Bill No. 252 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cole, Curran, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Hageman, Hammond, Harken, Harrison, Hazelbaker, Horrigan, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McMichael, Miller, Morrow, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Toomey, Tyler, White, Williams, Wilson, Winters. Total 65.

Noes: Beazley, Beck, Bjorneby, Cannon, Cummings, Dahlquist, Green, Gunderson, Holding, Hess, James, Kemmis, McGreevey, McKenna, Martin of Fergus, Mernin, Nash, Nelson, Parker of Cascade, Phelan, Spiegel, Toole, Vanek, Zuck, Mr. Speaker. Total 25.

Absent and not voting: Antrim, Banka, Clifford, Davey, Forbregd, Goodwin, Martin of Madison, Murray, Rice, Watson, Welcome. Total 11.

Passed: Tonn. Total 1.

House Bill No. 362 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Byrne, Carlson, Castles, Cole, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Freshman, Friedl, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McKenna, McMichael, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Zuck, Mr. Speaker. Total 78.

Absent and not voting: Antrim, Beazley, Busch, Cannon, Clifford, Cummings, Curran, Forbregd, Gebhardt, Goodwin, Horrigan, Hunter, Lynch, McGreevey, Martin of Madison, Mernin, Murray, O'Brien, Potter, Rice, Saylor, Watson, Welcome, Winters. Total 24.

Substitute House Bill No. 144 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Cannon,

Carlson, Castles, Cole, Cummings, Dahlquist, Davey, Dougherty, Eggenberger, Fewkes, Flook, Friedl, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 81.

Absent and not voting: Busch, Clifford, Curran, Dillavou, Esp, Forbregd, Freshman, Gebhardt, Goodwin, Harrison, Horrigan, Hunter, Kemmis, Martin of Madison, Murray, O'Brien, Rice, Watson, Welcome, White, Mr. Speaker. Total 21.

House Bill No. 217 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Carlson, Castles, Cole, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Freshman, Friedl, Hageman, Hammond, Harken, Harrison, Hazelbaker, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, O'Connor, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Stevens, Tonn, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 68.

Noes: Cummings, Green, Gunderson, Holding, Hess, Morrow, Oliver, Parker of Cascade, Toole. Total 9.

Absent and not voting: Antrim, Armstrong, Byrne, Cannon, Clifford, Curran, Dahlquist, Davey, Forbregd, Gebhardt, Goodwin, Horrigan, Hunter, Kirscher, McDaniel, Martin of Madison, Murray, Parker of Wibaux, Parker of Flathead, Rice, Saylor, Spiegel, Tyler, Watson, Welcome. Total 25.

House Bill No. 369 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Blenkner, Burke, Byrne, Carlson, Castles, Cole, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Stevens, Tonn, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 75.

Noes: Bjorneby, Dahlquist, McGreevey, Petersen, Mr. Speaker. Total 5.

Absent and not voting: Antrim, Busch, Cannon, Clifford, Cummings, Curran, Gebhardt, Goodwin, Horrigan, Hunter, Loughran, Murray, O'Brien, Parker of Wibaux, Parker of Flathead, Rice, Saylor, Spiegel, Toole, Toomey, Watson, Welcome. Total 22.

House Bill No. 181, being a Constitutional Amendment, and having been read three several times, history and title agreed to, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions thereof, the bill is set forth in its entirety as follows:

HOUSE BILL NO. 181.

INTRODUCED BY CANNON AND MERNIN

A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the Bureau of Agriculture and/or bureau of Labor and Industry."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the General Election to be held in November, 1942.

Section 2. That Section One (1) of Article Eighteen (18) of the Constitution be, and the same is hereby amended to read as follows:

"Section 1. The Legislative Assembly may provide for a Bureau of Agriculture, and a Bureau of Labor and Industry, to be located at the Capitol and be under the control of commissioners appointed by the Governor subject to the confirmation of the Senate. The commissioners shall hold office for four (4) years, and until his successor is appointed and qualified; his compensation shall be as provided by law."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, provided by Section 678 Revised Codes of Montana, 1935, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

☐

FOR THE ABOVE WRITTEN AMENDMENT TO THE CONSTITUTION.

☐

AGAINST THE ABOVE WRITTEN AMENDMENT TO THE CONSTITUTION.

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote.

Section 4. The vote cast for and against the amendment above proposed shall be canvassed, determined and declared as provided by the General Election Laws of the State of Montana.

Section 5. All acts and parts of acts in conflict herewith are hereby repealed.

Section 6. This act shall take effect and be in full force from and after its passage and approval.

House Bill No. 181 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Flook, Forbregd, Freshman, Friedl, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Scott, Spiegel, Stevens, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker.
Total 69.

Noes: Esp, Green, Kemmis, Martin of Madison, O'Connor, Oliver, Roehl, Scofield, Simpson, Tonn. Total 10.

Absent and not voting: Allen, Antrim, Busch, Cummings, Curran, Eggenberger, Gebhardt, Goodwin, Hazelbaker, Horrigan, Hunter, Kirscher, Lippard, Morrow, Murray, O'Brien, Rasmussen, Rice, Saylor, Toole, Toomey, Watson, Welcome. Total 23.

House Bill No. 262 failed to pass by the following vote:

Ayes: Beazley, Burke, Cummings, Davey, Dillavou, Esp, Fewkes, Hageman, Hammond, Harrison, Lehrkind, O'Brien, O'Connor, Oliver, Parker of Wibaux, Phelan, Potter, Tonn, Mr. Speaker. Total 19.

Noes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Castles, Cole, Curran, Dahlquist, Dougherty, Flook, Forbregd, Freshman, Gebhardt, Green, Gunderson, Harken, Holding, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, Parker of Flathead, Parker of Cascade, Petersen, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck. Total 69.

Absent and not voting: Antrim, Clifford, Eggenberger, Friedl, Goodwin, Hazelbaker, Lippard, Martin of Madison, Murray, Scofield, Toole, Tyler, Watson, Welcome. Total 14.

MOTIONS AND RESOLUTIONS

It was moved by Petersen, duly seconded and carried, that the House reconsider its action on House Bill No. 81.

It was moved by Byrne, duly seconded and carried, that House Bill No. 50 be considered correctly engrossed and placed on Third Reading.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 364 and House Bill No. 173.

SAYLOR, Chairman.

Report adopted.

THIRD READING

House Bill No. 81, being a Constitutional Amendment and having been read three several times, history and title agreed to and not receiving the necessary two-thirds majority of the entire membership of the House as required by the Constitution, failed to pass by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Ballard, Banka, Beazley, Blenkner, Burke, Busch, Byrne, Clifford, Cummings, Curran, Davey, Dillavou, Dougherty, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hunter, James, Kirscher, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Mernin, Nash, Newell, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson. Total 60.

Noes: Aronson, Beck, Bjorneby, Cannon, Carlson, Castles, Cole, Dahlquist, Esp, Fewkes, Flook, Gunderson, Harrison, Hazelbaker, Holding, Hess, Horrigan, Kemmis, LaBonte, McMichael, Martin of Fergus, Miller, Morrow, Nelson, O'Connor, Oliver, Parker of Flathead, Roehl, Simpson, Winters, Zuck, Mr. Speaker. Total 32.

Absent and not voting: Antrim, Eggenberger, Forbregd, Goodwin, Harken, Murray, Spiegel, Tyler, Watson, Welcome. Total 10.

Substitute House Bill No. 364 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Banka, Bjerneby, Blenkner, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Simpson, Spiegel, Tonn, Toole, Toomey, Tyler, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 79.

Noes: Lippard. Total 1.

Absent and not voting: Antrim, Armstrong, Beazley, Beck, Burke, Busch, Clifford, Curran, Gebhardt, Goodwin, Horrigan, Hunter, Murray, Parker of Wibaux, Parker of Flathead, Rice, Saylor, Scott, Stevens, Vanek, Watson, Welcome. Total 22.

House Bill No. 173 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Freshman, Green, Hageman, Hammond, Harken, Hazelbaker, Hess, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Tonn, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters. Total 77.

Noes: Cummings, Gunderson, Holding, Parker of Cascade, Toole, Mr. Speaker. Total 6.

Absent and not voting: Ahern, Antrim, Clifford, Curran, Eggenberger, Friedl, Gebhardt, Goodwin, Harrison, Horrigan, Hunter, Kemmis, Murray, Rice, Saylor, Stevens, Watson, Welcome, Zuck. Total 19.

House Bill No. 50 was passed by the following vote:

Ayes: Anderson, Armstrong, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Cole, Cummings, Davey, Dillavou, Dougherty, Eggenberger, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Lynch, McDaniel, McKenna, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Flathead, Parker of Cascade, Phelan, Reed, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, Williams, Wilson, Zuck, Mr. Speaker. Total 54.

Noes: Ahern, Allen, Anson, Ballard, Burke, Cannon, Carlson, Castles, Clifford, Dahlquist, Esp, Fewkes, Flook, Forbregd, Gunderson, McGreevey, McMichael, Martin of Madison, Mernin, Miller, Morrow, O'Brien, Potter, Roehl, Simpson, Tonn, Tyler, Vanek, White, Winters. Total 30.

Absent and not voting: Antrim, Aronson, Curran, Goodwin, Horrigan, Hunter, Lehrkind, Loughran, Lowe, Martin of Fergus, Murray, Parker of Wibaux, Petersen, Rasmussen, Rice, Saylor, Watson, Welcome. Total 18.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Saturday, February 22nd 1941, at 11:30 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNEN, Chief Clerk.

FORTY-EIGHTH DAY

House of Representatives,
Helena, Montana,
February 22, 1941.

House convened, pursuant to adjournment, at 11:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following, who were excused: Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Forty-seventh Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, and bills are herewith returned to the House:

H. B. No. 146, by Dillavou, et al.

H. B. No. 157, by Toomey.

H. B. No. 158, by Toomey.

H. B. No. 159, by Toomey.

H. B. No. 160, by Toomey.

H. B. No. 161, by Toomey.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees; all appropriation measures having been read at length:

House Bill No. 370: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for certain state institutions for purposes as designated herein." Referred to the Committee on Appropriations.

House Bill No. 371: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred for the payment of salary for Philip O. Keeney, in accordance with the supreme court decision in the case of State ex rel Philip O. Keeney vs. Montana State Board of Education et al." Referred to the Committee on Appropriations.

House Bill No. 372: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the Montana State Hospital." Referred to the Committee on Appropriations.

House Bill No. 373: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the hail insurance administration." Referred to the Committee on Appropriations.

House Bill No. 374: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the adjutant general." Referred to the Committee on Appropriations.

House Bill No. 375: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state school for the deaf and blind." Referred to the Committee on Appropriations.

House Bill No. 376: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state board of education." Referred to the Committee on Appropriations.

House Bill No. 377: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state for-ester." Referred to the Committee on Appropriations.

House Bill No. 378: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the presidential electors." Referred to the Committee on Appropriations.

House Bill No. 379: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred for transporting prisoners." Referred to the Committee on Appropriations.

House Bill No. 380: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein for all state departments, boards, bureaus, commissions, and institutions, for the period beginning July 1, 1941 and ending June 30, 1943." Referred to the Committee on Appropriations.

House Bill No. 381: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the department of the attorney general to reimburse the law enforcement contingent fund for money used for operation of said department." Referred to the Committee on Appropriations.

House Bill No. 382: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the Montana state training school." Referred to the Committee on Appropriations.

House Bill No. 383: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state school of mines." Referred to the Committee on Appropriations.

House Bill No. 384: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of a deficiency claim arising for obligations incurred by district judge's expenses." Referred to the Committee on Appropriations.

House Bill No. 385: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state text book commission." Referred to the Committee on Appropriations.

House Bill No. 386: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state board of equalization." Referred to the Committee on Appropriations.

House Bill No. 387: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the state treasurer." Referred to the Committee on Appropriations.

Substitute Senate Bill No. 1: Introduced by the Committee on Public Lands: A bill for an act entitled: "An act to provide for the state forests, state forestry board, state forester, forest fire protection and fire wardens; defining and regulating the same; providing for the conservation and protection of forest lands and resources of the State of Montana; and providing penalties for the violation thereof; and repealing Chapter 128 of the Session laws of the Twenty-sixth Legislative Assembly, 1939." Referred to the Committee on State Lands.

Substitute Senate Bill No. 50: Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Section 14 of Chapter 37 of the session laws of 1937 relating to exemptions from the provisions of the act regulating the practice of photography." Referred to the Committee on Judiciary.

Substitute Senate Bill No. 67: Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Sections 1, 5 and 8 of Chapter 176 of the laws of the Twenty-fifth Legislative Assembly of Montana for 1937; relating to an act providing for regulations of the preparation, possession and sale of narcotics in the State of Montana; defining certain words and phrases in connection therewith; providing for the issuance of licenses and qualification therefor; defining the lawful possession thereof; exempting certain preparations in which narcotics may be used; providing for certain records to be kept; providing for the manner of keeping, form and preservation of such records; providing for the use of labels of narcotic drugs; defining the unlawful possession of narcotic drugs; providing for the issuance and execution of warrants, and for the seizure of narcotic drugs; providing for the disposition of such narcotic drugs, implements, furniture, fixtures, vehicles, and other articles so seized; defining the duties of peace officers to arrest offenders and to seize narcotic drugs; forbidding the replevin of narcotic drugs and other property; defining nuisances in connection therewith; defining certain powers and duties of the secretary of the state board of health in connection with the provisions of this act; relating to obtaining of narcotics by fraud and deceit; providing for enforcement and cooperation for and in accordance with the provisions of this act; defining the effect of acquittal and conviction under the federal narcotic laws; relating to the constitutionality of this act; relating to the interpretation of this act." Referred to the Committee on Judiciary.

Substitute Senate Bill No. 85: Introduced by the Committee on Stock Growing and Grazing: A bill for an act entitled: "An act to amend Section 3298.18, Revised Codes of Montana, 1935, providing for the inspection and marking of hides of slaughtered cattle; providing for records thereof, and making it the duty of the sheriff to inspect and mark said hides; providing for the appointment of and compensation of deputy sheriffs for the purpose of the act; providing for inspection by the livestock commission; providing for revocation of a butcher's or meat peddler's license for failure to report violations of this act known to him; and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Livestock and Public Ranges.

Senate Bill No. 100: Introduced by Dahl: A bill for an act entitled: "An act to amend Section 5668.44 of the Revised Codes of Montana, 1935, relating to public works contractors' bond, the amount and terms of the bond, the notice of the claimant, the form of said notice, actions on said bonds, and special provisions in the bonds, and repealing all acts or parts of acts in conflict herewith." Referred to the Committee on Judiciary.

Senate Bill No. 106: Introduced by Robinson and Maddox: A bill for an act entitled: "An act to amend Chapter 198 of the Twenty-sixth Legislative Assembly relating to regulating the speed of motor vehicles on the highways of the State of Montana." Referred to the Committee on Highways and Highway Transportation.

Senate Bill No. 109: Introduced by Dahl and Clayton: A bill for an act entitled: "An act to amend Section 5111 of the Revised Codes of Montana, 1935, relating to the powers of mayors to suspend firemen." Referred to the Committee on Affairs of Cities.

Senate Bill No. 112, introduced by the Committee on Fish and Game: A bill for an act entitled: "An act to amend Section 3655 of the Revised Codes of Montana for 1935, relating to the state fish and game warden; qualifications and duties." Referred to the Committee on Fish and Game.

Substitute Senate Bill No. 116: Introduced by Committee on Counties and Towns: A bill for an act entitled: "An act relating to the sale and lease of unredeemed tax title property by county commissioners; permitting counties to reserve oil, gas, and mineral rights and to sell or lease the same; providing the method of sale or lease, the giving of notice of such sale, and the terms thereof; providing for the taxation thereof; after sale; authorizing the exchange of property; validating leases heretofore made; and repealing Chapter 181, Laws of 1939, Chapter 193, Laws of 1939, and all other acts and parts of acts in conflict herewith." Referred to the Committee on Judiciary.

Senate Bill No. 119: Introduced by Liggett, Dahl and Plank: A bill for an act entitled: "An act amending Section 3450, Revised Codes of Montana, 1935, relating to the powers and duties of the state coal mine inspector." Referred to the Committee on Mines and Mining.

Senate Bill No. 130: Introduced by Findlater: A bill for an act entitled: "An act empowering employees of the state industrial school to convey boys from the place of commitment to such school." Referred to the Committee on State Boards and Offices.

Senate Bill No. 131: Introduced by the Committee on Dairies and Dairying: A bill for an act entitled: "An act to amend Section 2620.43 of Chapter 240 of the Revised Codes of Montana, 1935, defining retailer, wholesaler, person and oleomargarine or any product or manufacture made in whole or in part of animal and vegetable oils, and prohibiting the use of coloring matter in oleomargarine, and providing the manner in which it shall be packed, marked and labeled." Referred to the Committee on Dairying.

Senate Bill No. 132: Introduced by Maddox and Robinson: A bill for an act entitled: "An act to amend Section 1741.7 and Section 1741.8 of the Revised Codes of Montana, 1935, as amended by Chapter 182 of the session laws of Montana, 1937, relating to acts constituting crimes in the operation of motor vehicles and specifically repealing and deleting sub-section 5 of Section 1741.7 of the Revised Codes of Montana, 1935, as amended by Chapter 182 of the session laws of Montana, 1937, and specifically repealing and deleting parts of Section 1741.8 of the Revised Codes of Montana, 1935, as amended by Chapter 182 of the session laws of Montana, 1937, and prescribing new offenses and penalties." Referred to the Committee on Highways and Highway Transportation.

Senate Bill No. 136: Introduced by Weinschrott, Plank, Baker of Dawson, and McQuitty: A bill for an act entitled: "An act to amend Section

681 of the Revised Codes of Montana as amended by Chapter 81 of the session laws of the Twenty-sixth, 1939, Legislative Assembly of the State of Montana relating to the form, size and color of ballot to be used in general elections in the State of Montana; to provide for the designation of office and the manner of placing the names of candidates and their political designation, to provide for placing names of candidates for judicial offices without political designation, and to provide the number of columns which ballots may contain, and to provide for rotation of names on the ballot; and to provide for the placement of initiatives, referendums, and constitutional amendments on the official or separate ballot, and to repeal all acts and parts of acts in conflict herewith." Referred to the Committee on Privileges and Elections.

Senate Bill No. 137: Introduced by Angvick: A bill for an act entitled: "An act to amend Section 4749.7 of the Revised Codes of Montana, 1935, relating to the salary and bond of officers upon consolidation of two or more county offices; providing for the appointment of deputies of officers of a consolidated office; and providing that the board of county commissioners shall determine the number of such deputies, as said section was amended by Chapter 107 session laws 1937." Referred to the Committee on Townships and Counties.

Senate Bill No. 142: Introduced by Drummheller: A bill for an act entitled: "An act providing for the publication by the unemployment compensation commission of the names of applicants for unemployment compensation benefits in a newspaper in the county in which said applicants reside." Referred to the Committee on Social Security.

Senate Bill No. 145: Introduced by Gilbert and Lott: A bill for an act entitled: "An act fixing the salaries of county assessors in counties of the seventh class having a taxable valuation of more than \$2,500,000.00, but not exceeding \$5,000,000.00." Referred to the Committee on Townships and Counties.

Senate Bill No. 147: Introduced by Morrison and Mahoney: A bill for an act entitled: "An act to provide that persons leaving employment and entering military service of the United States shall, upon their return from such service, be entitled to unemployment compensation benefits upon their failure to secure employment." Referred to the Committee on Social Security.

Senate Bill No. 148: Introduced by Bateman: A bill for an act entitled: "An act to provide for the retirement of commissioned officers of the national guard of Montana; prescribing the grounds for such retirement; the rank of retired officers; detail of retired officers to active duty; and making the act retroactive." Referred to the Committee on Military Affairs.

Senate Bill No. 153: Introduced by Haight: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 11 of Article XI of the Constitution of the State of Montana, relating to the appointment, personnel, powers, duties and terms of office of the state board of education." Referred to the Committee on Constitutional Amendments.

Senate Bill No. 160: Introduced by Mahoney and Morrison: A bill for an act entitled: "An act to amend Section 459.1 of the Revised Codes of Montana of 1935, relating to expenses of all officers and employees of the State of Montana." Referred to the Committee on State Boards and Offices.

Senate Bill No. 162: Introduced by Cotter and Keeley: A bill for an act entitled: "An act amending Section 10249 of the Revised Codes of the State of Montana for 1935 pertaining to the power of the judge of the district court to empower an administrator, executor or guardian to mortgage, lease, option or sell real estate and adding a new section to the said Revised Codes of the State of Montana by adding a new section thereto to

be known as Section 10256.1 prescribing the manner of obtaining authority for sale of or for option to purchase mining property." Referred to the Committee on Mines and Mining.

Senate Bill No. 169: Introduced by Burke and Cotter: A bill for an act entitled: "An act to amend Section 1742, Revised Codes of Montana, regulating the speed and method of operation of motor vehicles and granting to the highway patrol concurrent jurisdiction with local peace officers over all arterial highways." Referred to the Committee on Judiciary.

Senate Bill No. 173: Introduced by Ecton: A bill for an act entitled: "An act to amend Sections 5502 and 5503 Revised Codes of Montana, 1935, relating to the fiscal year of municipalities with the commission-manager form of government." Referred to the Committee on Townships and Counties.

Senate Bill No. 183: Introduced by Mundy: A bill for an act entitled: "An act to amend Sections 4, 8 and 13, Chapter 84, laws of the Twenty-fifth Legislative Assembly of the State of Montana, as amended by Chapter 221, laws of the Twenty-sixth Legislative Assembly of the State of Montana, relating to regulating, licensing and sale of liquor at retail in the State of Montana." Referred to the Committee on Public Morals, Charities and Reforms.

Senate Bill No. 184: Introduced by Haight, Hazelbaker, Simmons and Bateman: A bill for an act entitled: "An act to amend Section 831 of the Revised Codes of Montana, 1935, relating to the appointment and term of office of members of the state board of education." Referred to the Committee on Education.

Senate Bill No. 186: Introduced by Mundy: A bill for an act entitled: "An act to amend Section 1783 of the Revised Codes of Montana, 1935, by providing for a five member commission; and providing for the districting of the State of Montana into five commissioner districts." Referred to the Committee on Highways and Highway Transportation.

Senate Bill No. 189: Introduced by the Committee on State and County Economies: A bill for an act entitled: "An act to regulate the storage and use of state-owned automobiles, cars, trucks, or other vehicles of transportation within the State of Montana; providing penalties for the violation of the provisions of this act and repealing all acts or parts of acts in conflict herewith." Referred to the Committee on Economy.

Senate Bill No. 191: Introduced by Martinson: A bill for an act entitled: "An act to amend Section 1759, Revised Codes of Montana, 1935, as amended by Chapter Seventy-two, laws of the Twenty-fifth Legislative Assembly, 1937, relating to application for registration of motor vehicles and payment of license fees thereon, by providing for the collection of city taxes on motor vehicles and payment thereof by county treasurer to city treasurer; repealing all acts in conflict herewith." Referred to the Committee on Affairs of Cities.

Senate Bill No. 192: Introduced by Morrison: A bill for an act entitled: "An act providing for a system of apprenticeship whereby voluntarily made agreements of apprenticeship would be encouraged; establishing standards for such agreements, creating an apprenticeship council of apprenticeship and defining their duties hereunder; repealing Section 11520 of the Revised Codes of Montana, 1935." Referred to the Committee on Labor.

Senate Bill No. 195: Introduced by Nutt, Alvord and Dahl: A bill for an act entitled: "An act providing for the creation and appointment of the Montana preparedness and advisory commission and defining its powers and duties; and for carrying out the purposes thereof." Referred to the Committee on State Boards and Offices.

Senate Joint Memorial No. 15: Introduced by Maddox: A memorial entitled: "A memorial to the president of the United States and representatives from the State of Montana and Wyoming in the congress of the United States requesting a careful consideration and prompt support in the passage of an act providing for the construction of storage of water by the war department, and that such provisions be made as will assure the people of Montana and Wyoming of water necessary for their present and potential needs for domestic and irrigation purposes by the building of proper dams in the Big Horn River in Montana and Boysen, Wyoming." Referred to the Committee on Federal Relations.

MOTIONS AND RESOLUTIONS

It was moved by Ballard, duly seconded and carried, that the House request the Honorable Senate to reconsider its action in refusing to return House Bill No. 340 for further consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 386, respectfully report as follows: That House Bill No. 386 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 387, respectfully report as follows: That House Bill No. 387 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 384, respectfully report as follows: That House Bill No. 384 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 383, respectfully report as follows: That House Bill No. 383 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 380, respectfully report as follows: That House Bill No. 380 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 379, respectfully report as follows: That House Bill No. 379 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under considera-

tion House Bill No. 372, respectfully report as follows: That House Bill No. 372 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 370, respectfully report as follows: That House Bill No. 370 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 374, respectfully report as follows: That House Bill No. 374 do pass.

DOUGHERTY, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

A Washington Day Program was given by the Entertainment Committee. Honorable Dr. A. L. Strand of Bozeman, Montana, gave the main address.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, February 24th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTIETH DAY

House of Representatives,
Helena, Montana,
February 24, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Horrigan, McDaniel, Murray, Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Forty-ninth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments: H. B. No. 120, by Hammond; H. B. No. 207, by O'Connor and Byrne.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House: H. B. No. 151, by Toomey (by request); H. B. No. 212, by Toole and Toomey, H. B. No. 211, by Toole and Toomey, H. B. No. 30, by Dillavou, H. B. No. 133, by Byrne, H. B. No. 340, by McDaniel.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, and bills are herewith returned to the House: H. B. No. 49, by Williams; H. B. No. 148, by Aronson and Murray; H. B. No. 179, by Beazley, et al; H. B. No. 180, by Committee on Judiciary; H. B. No. 303, by Committee on Judiciary; H. B. No. 306, by Committee on Judiciary; House Joint Memorial No. 3, by Oliver.

The following communication was this day read in the Senate:

"Mr. President: Rumors, both false and correct, are being circulated throughout the state relative to the conditions existing at the State Hospital for the Insane at Warm Springs. The twenty-seventh Legislative Assembly is making an effort to correct many of the existing evils in order to refute many of the erroneous statements and to apprise the public of the true conditions existing.

We believe that a committee of five from the Senate, to serve with a like committee of the House if that body so desires, should make an immediate investigation into certain conditions at Warm Springs and report to this body on or before the 55th day, in order that recommendations may be transmitted to the proper state officials and the true facts presented to the public. We especially urge that the following matters should be investigated:

1. The quality and amount of food being served to the inmates.
2. The fire hazards at the institution.
3. The matter of patients being committed to Warm Springs that should properly be sent to the State Training School and those sent to the Training School that should be committed to Warm Springs.
4. The method of operation at the State Farm at Warm Springs.
5. The feasibility of appointing a joint business manager for the State Hospital for the Insane, the State Prison and the State Tuberculosis Sanitarium.
6. Any other matter that might appertain to improving conditions at the State Hospital.

That the Committee make a complete report on or before the 55th day of this Session, in order that the widespread rumors may be corrected.

Therefore, we move the President of the Senate appoint a committee of five from this body to investigate the matters above mentioned.

Signed:

COTTER,
MAHONEY,
ARNOLD,
HENDERSON,
MANNING,
BAKER (Lincoln),
MARTIN,
MORRISON,
MUNDY,
BATEMAN,
ROSS,
GILBERT,
DAHL,
MADDOX,
PAULINE,
MULHOLLAND,
CLAYTON,
CALDER.
HAMMOND."

Whereupon, the President of the Senate appointed the following Senators to act as such Investigating Committee from the Senate: Cotter, Mundy, Bateman, Manning and Martin.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Parker of Flathead, duly seconded and carried, that Senate Bill No. 62 be taken from General Orders and re-referred to the Committee on Insurance.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Scofield in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 368 do pass;

That Senate Amendments to House Bill No. 35 be concurred in;

That Senate Joint Resolution No. 1 be concurred in;

That Senate Bill No. 3 be concurred in;

That Senate Bill No. 4 be concurred in;

That Senate Bill No. 48 be concurred in;

That Senate Bill No. 61 be concurred in;

That Senate Amendments to House Bill No. 120 be concurred in;

That Senate Bill No. 72 be concurred in;

That Senate Bill No. 6 be amended as follows:

Amend in line 3, Section 3, by striking the period after the word "investigation" and inserting a comma and adding the following: "or to any exchange teacher or professor." and that the same be concurred in as amended.

That Senate Amendments to House Bill No. 207 be concurred in;

That consideration of Senate Bill No. 15 be passed for the day;

That Senate Bill No. 20 be concurred in;

That Senate Bill No. 29 be concurred in;

That Senate Bill No. 30 be concurred in;

That consideration of Senate Bill No. 36 be passed for the day;

That Senate Bill No. 39 be concurred in;

That Senate Bill No. 43 be concurred in;

That Senate Bill No. 44 be concurred in;

That Senate Bill No. 46 be concurred in.

SCOFIELD, Chariman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return H. B. No. 179 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It as moved by Parker of Flathead, duly seconded and carried, that Senate Bill No. 62 be taken from the Committee on Insurance and placed on General Orders.

It was moved by Beazley, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 179, for further consideration, be granted.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 195, respectfully report as follows: That Senate Bill No. 195 be concurred in.

CANNON, Chairman.

Report adopted.

The following Senate Amendments to House Bills were concurred in by the House:

Senate Amendments to House Bill No. 35 were concurred in by the following vote:

Ayes: Allen, Anson, Antrim, Aronson, Banka, Beck, Bjerneby, Busch, Byrne, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Lippard, Loughran, Lynch, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 68.

Noes: Goodwin. Total 1.

Absent and not voting: Ahern, Anderson, Armstrong, Ballard, Beazley, Blenkner, Burke, Cannon, Cole, Freshman, Gebhardt, Green, Gunderson, Hammond, Horrigan, Laubach, Lehrkind, Lowe, McDaniel, McMichael, Miller, Morrow, Murray, Parker of Flathead, Rasmussen, Reed, Rice, Roehl, Toole, Toomey, Watson, Welcome, White. Total 33.

Senate Amendments to House Bill No. 120 were concurred in by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Aronson, Banka, Beck, Bjerneby, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Goodwin, Hageman, Harrison, Hess, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Potter, Reed, Roehl, Scott, Spiegel, Stevens, Toole, Tyler, Vanek, Williams, Wilson, Zuck, Mr. Speaker. Total 63.

Noes: Green, Harken, Lowe, Phelan, Rice, Saylor, Scofield, Simpson, Tonn, Winters. Total 10.

Absent and not voting: Anderson, Armstrong, Ballard, Beazley, Blenkner, Burke, Cole, Dahlquist, Freshman, Gebhardt, Gunderson, Hammond, Hazelbaker, Holding, Horrigan, James, Lehrkind, Lynch, McDaniel, McMichael, Miller, Morrow, Murray, Parker of Flathead, Rasmussen, Toomey, Watson, Welcome, White. Total 29.

Senate Amendments to House Bill No. 207 were concurred in by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Busch, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, Williams, Wilson, Winters, Mr. Speaker. Total 76.

Noes: Rice. Total 1.

Absent and not voting: Anderson, Armstrong, Blenkner, Burke, Byrne, Cole, Dillavou, Gunderson, Horrigan, Hunter, LaBonte, Laubach, Lehrkind, McDaniel, McMichael, Miller, Morrow, Murray, Parker of Flathead, Rasmussen, Toomey, Watson, Welcome, White, Zuck. Total 25.

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Joint Resolution No. 1 was concurred in by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Aronson, Ballard, Banka, Beck, Bjerneby, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Nash, Nelson, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Wilson, Winters, Mr. Speaker. Total 75.

Noes: Simpson. Total 1.

Absent and not voting: Anderson, Armstrong, Beazley, Blenkner, Burke, Cole, Dahlquist, Dillavou, Green, Gunderson, Harrison, Horrigan, Kemmis, Lehrkind, McDaniel, Miller, Morrow, Murray, Oliver, Rasmussen, Rice, Watson, Welcome, White, Williams, Zuck. Total 26.

Senate Bill No. 3 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Cole, Dahlquist, Dillavou, Friedl, Gebhardt, Hammond, Horrigan, Hunter, Lehrkind, McDaniel, Mernin, Miller, Morrow, Murray, Parker of Cascade, Rice, Watson, Welcome, White, Zuck. Total 20.

Senate Bill No. 4 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Zuck. Total 85.

Noes: Mr. Speaker. Total 1.

Absent and not voting: Cole, Dillavou, Hammond, Horrigan, Lehrkind, Miller, Morrow, Murray, O'Brien, O'Connor, Rasmussen, Rice, Watson, Welcome, White, Winters. Total 16.

Senate Bill No. 20 was concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson,

Castles, Cole, Cummings, Curran, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Goodwin, Green, Hammond, Harken, Harrison, Hazelbaker, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McGreevey, McMichael, Martin of Madison, Nash, Newell, O'Brien, Oliver, Parker of Wibaux, Petersen, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 68.

Noes: Cannon, Clifford, Gunderson, Holding, Hess, McKenna, Martin of Fergus, Mernin, Nelson, Parker of Cascade, Phelan, Tyler. Total 12.

Absent and not voting: Ahern, Dahlquist, Davey, Dillavou, Friedl, Gebhardt, Hageman, Horrigan, Hunter, Lehrkind, McDaniel, Miller, Morrow, Murray, O'Connor, Parker of Flathead, Rice, Toomey, Vanek, Watson, Welcome, White. Total 22.

Senate Bill No. 29 was concurred in by the following vote:

Ayes: Anderson, Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lippard, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Nash, Nelson, Newell, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Toole, Tyler, Vanek, Williams, Wilson, Zuck. Total 75.

Noes: : Loughran, O'Brien, Oliver, Rice, Spiegel, Mr. Speaker. Total 6.

Absent and not voting: Ahern, Allen, Antrim, Armstrong, Clifford, Friedl, Green, Horrigan, Kirscher, Lehrkind, McDaniel, Miller, Morrow, Murray, O'Connor, Tonn, Toomey, Watson, Welcome, White, Winters. Total 21.

Senate Bill No. 30 was concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Lowe, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Tyler, Vanek, Williams, Wilson, Zuck, Mr. Speaker. Total 79.

Noes: Curran, Goodwin, Loughran, Mernin, O'Brien, Spiegel. Total 6.

Absent and not voting: Ahern, Antrim, Clifford, Cole, Horrigan, Lehrkind, Lynch, McDaniel, Miller, Morrow, Murray, O'Connor, Toomey, Watson, Welcome, White, Winters. Total 17.

Senate Bill No. 39 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, Mc-

Michael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Nelson, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmus--sen, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Tyler, Vanek, Williams, Wilson, Zuck, Mr. Speaker. Total 71.

Noes: Esp, Goodwin, Green, Kemmis, Oliver, Scofield, Simpson. Total 7.

Absent and not voting: Antrim, Carlson, Cummings, Dougherty, Gunderson, Hammond, Horrigan, Lehrkind, McDaniel, Miller, Murray, Nash, Newell, O'Brien, O'Connor, Parker of Flathead, Stevens, Tonn, Toole, Toomey, Watson, Welcome, White, Winters. Total 24.

Senate Bill No. 43 was not concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Aronson, Beazley, Beck, Bjerneby, Blenkner, Busch, Cole, Dillavou, Dougherty, Eggenberger, Esp, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hunter, Kemmis, Laubach, Lippard, Lynch, McKenna, Morrow, O'Connor, Parker of Wibaux, Potter, Reed, Rice, Saylor, Scofield, Simpson, Stevens, Tyler, Williams, Wilson, Mr. Speaker. Total 40.

Noes: Armstrong, Ballard, Banka, Burke, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Davey, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Holding, Hess, James, Kirscher, LaBonte, Loughran, Lowe, McGreevey, Martin of Fergus, Mernin, Nash, Nelson, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Roehl, Scott, Spiegel, Tonn, Vanek, Zuck. Total 43.

Absent and not voting: Anson, Dahlquist, Hammond, Horrigan, Lehrkind, McDaniel, McMichael, Martin of Madison, Miller, Murray, Newell, O'Brien, Toole, Toomey, Watson, Welcome, White, Winters. Total 18.

Passed: Fewkes. Total 1.

Senate Bill No. 44 was concurred in by the following vote:

Ayes: Ahern, Banka, Beazley, Bjerneby, Burke, Busch, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Friedl, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kemmis, Laubach, Lippard, Lowe, Lynch, McKenna, Martin of Fergus, Mernin, Morrow, Nash, Nelson, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Reed, Roehl, Saylor, Spiegel, Tonn, Toole, Toomey, Tyler, Wilson, Zuck. Total 48.

Noes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Beck, Blenkner, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Forbregd, Freshman, Gebhardt, Goodwin, James, Kirscher, LaBonte, Loughran, McGreevey, McMichael, Martin of Madison, O'Connor, Oliver, Potter, Rasmussen, Rice, Scofield, Scott, Simpson, Stevens, Vanek, Williams, Mr. Speaker. Total 39.

Absent and not voting: Ballard, Dougherty, Hammond, Horrigan, Lehrkind, McDaniel, Miller, Murray, Newell, O'Brien, Parker of Cascade, Watson, Welcome, White, Winters. Total 15.

Senate Bill No. 6 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Aronson, Ballard, Banka, Blenkner, Burke, Busch, Castles, Cummings, Dillavou, Esp, Fewkes, Flook, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hunter, Kirscher, LaBonte, Lippard, Lowe, McMichael, Martin of Madison, Morrow, Nelson, O'Brien, O'Connor, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Scofield, Scott, Simpson, Tonn, Toomey, Williams, Wilson. Total 45.

Noes: Antrim, Beazley, Beck, Bjerneby, Byrne, Cannon, Carlson, Clifford, Curran, Dahlquist, Davey, Freshman, Friedl, Gebhardt, Gunderson,

Helding, Hess, James, Kemmis, Laubach, Loughran, Lynch, McGreevey, McKenna, Martin of Fergus, Mernin, Nash, Oliver, Parker of Wibaux, Petersen, Rice, Roehl, Saylor, Spiegel, Stevens, Tyler, Vanek, Zuck, Mr. Speaker. Total 39.

Absent and not voting: Anson, Cole, Dougherty, Eggenberger, Forbregd, Hammond, Horrigan, Lehrkind, McDaniel, Miller, Murray, Newell, Parker of Cascade, Toole, Watson, Welcome, White, Winters. Total 18.

Senate Bill No. 46 was concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Helding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Morrow, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, Wilson, Zuck, Mr. Speaker. Total 79.

Noes: Lippard, Martin of Madison. Total 2.

Absent and not voting: Ahern, Clifford, Cole, Dahlquist, Dougherty, Hammond, Horrigan, Hunter, Lehrkind, McDaniel, Miller, Murray, Newell, Parker of Cascade, Rice, Toomey, Watson, Welcome, White, Williams, Winters. Total 21.

Senate Bill No. 48 was concurred in by the following vote:

Ayes: Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Helding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Nash, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, Williams, Wilson, Zuck, Mr. Speaker. Total 84.

Noes: Nelson. Total 1.

Absent and not voting: Ahern, Cole, Hammond, Horrigan, Lehrkind, McDaniel, Miller, Murray, Newell, Parker of Cascade, Rice, Saylor, Toomey, Watson, Welcome, White, Winters. Total 17.

Senate Bill No. 61 was concurred in by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Carlson, Castles, Dahlquist, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Nelson, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Rice, Roehl, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Tyler, Williams, Wilson, Zuck. Total 64.

Noes: Busch, Cannon, Clifford, Curran, Freshman, Goodwin, Helding, Kemmis, McGreevey, Morrow, Nash, Oliver, Spiegel, Mr. Speaker. Total 14.

Absent and not voting: Ahern, Allen, Cole, Cummings, Davey, Dougherty, Hammond, Hess, Horrigan, Lehrkind, Lippard, McDaniel, Miller, Murray, Newell, Parker of Cascade, Reed, Saylor, Toomey, Vanek, Watson, Welcome, White, Winters. Total 24.

Senate Bill No. 72 was concurred in by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Blenkner, Burke, Byrne, Carlson, Castles, Cole, Cummings, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Hageman, Harken, Hazelbaker, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lowe, Lynch, McMichael, Morrow, O'Connor, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Stevens, Toole, Toomey, Williams, Wilson. Total 53.

Noes: Anderson, Beck, Busch, Cannon, Clifford, Curran, Dahlquist, Forbregd, Goodwin, Green, Gunderson, Harrison, Holding, Hess, James, Kemmis, Loughran, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Nash, Nelson, O'Brien, Oliver, Parker of Cascade, Petersen, Scott, Simpson, Spiegel, Tonn, Tyler, Vanek, Zuck, Mr. Speaker. Total 36.

Absent and not voting: Bjerneby, Davey, Hammond, Horrigan, McDaniel, Miller, Murray, Newell, Rice, Watson, Welcome, White, Winters. Total 13.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 387, 379, 378, 385, 383, 382, 381, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 14, respectfully report as follows: That Senate Bill No. 14 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 87, respectfully report as follows: That Senate Bill No. 87 be concurred in.

TYLER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 98, respectfully report as follows: That Senate Bill No. 98 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 104, respectfully report as follows: That Senate Bill No. 104 be not concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 137, respectfully report as follows: That Senate Bill No. 137 be concurred in.

TYLER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 145, respectfully report as follows: That Senate Bill No. 145 be concurred in.

TYLER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 173, respectfully report as follows: That Senate Bill No. 173 be referred to the Committee on Affairs of Cities.

TYLER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 175, respectfully report as follows: That Senate Bill No. 175 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 106, respectfully report as follows: That Senate Bill No. 106 be amended as follows: In Section 4, line six by inserting after the word "hour" the following "with an allowable variation of five (5) miles" and in Section 5, line ten by inserting after the word "hour" the following "with an allowable variation of five (5) miles" and as amended be concurred in.

KIRSCHER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House reconsider its action on Senate Bill No. 43.

THIRD READING

Senate Bill No. 43 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Banka, Blenkner, Burke, Byrne, Cannon, Castles, Cummings, Davey, Dillavou, Dougherty, Eggenberger, Esp, Flook, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Lowe, Lynch, McKenna, Martin of Fergus, Morrow, Nash, Newell, O'Connor, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Zuck, Mr. Speaker. Total 63.

Noes: Beazley, Beck, Busch, Curran, Forbregd, Freshman, Green, Gunderson, McGreevey, Martin of Madison, Mernin, Nelson, O'Brien, Oliver, Petersen, Spiegel. Total 16.

Absent and not voting: Antrim, Ballard, Bjorneby, Carlson, Clifford, Cole, Dahlquist, Fewkes, Hess, Horrigan, Kemmis, Lehrkind, Loughran, McDaniel, McMichael, Miller, Murray, Parker of Cascade, Rasmussen, Watson, Welcome, White, Winters. Total 23.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Morrow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bill No. 49 be concurred in;

That Senate Bill No. 62 be concurred in;

That consideration of Senate Bill No. 51 be passed for the day;

That Senate Bill No. 55 be amended as follows:

Amend by striking all of Section 3.

and that the same be concurred in as amended;

That Senate Bill No. 57 be amended as follows:

Amend Section 1, line 7, by striking the following "within said cities or towns,"; Amend Section 2, lines 7 and 8 by striking the following "constructed and operated within their limits".

and that the same be concurred in as amended;

That Senate Bill No. 60 be amended as follows:

Amend the title by striking the period at the end thereof and inserting a comma, and adding the following: "and the duties of the warden of the state prison and the clerk of the district court."

Amend Section 1, in line 8, by adding the following sentence: "The warden of the state prison shall, upon commutation of sentence, parole, pardon, expiration of sentence, death, or escape of any prisoner, notify, in writing, the clerk of the district court wherein the defendant was originally convicted, of such fact or facts and such clerk shall file and enter such notice among the records in the case."

and that the same be concurred in as amended;

That Senate Bill No. 63 be concurred in;

That Senate Bill No. 64 be concurred in;

That Senate Bill No. 65 be concurred in.

MORROW, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 133, 212, 340, 211, 151, 30.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 30 introduced by me and find the same to be correct.

DILLAVOU.

I have examined House Bill No. 133 introduced by me and find the same to be correct.

BYRNE.

I have examined House Bill No. 212 introduced by me and find the same to be correct.

TOOLE.

I have examined House Bill No. 211 introduced by me and find the same to be correct.

TOOLE.

I have examined House Bill No. 151 introduced by me and find the same to be correct.

TOOMEY.

The Speaker signed the following in Open Session: House Bills Nos. 30, 151, 211, 340, 212 and 133.

The following motion was read:

Mr. Speaker:

Rumors, both false and correct, are being circulated throughout the state relative to the conditions existing at the State Hospital for the Insane at Warm Springs. The Twenty-seventh Legislative Assembly is making an effort to correct many of the existing evils in order to refute many of the erroneous statements and to apprise the public of the true conditions existing.

We believe that a committee of five from the House, should make an immediate investigation into certain conditions at Warm Springs and report to this body on or before the 56th day, in order that recommendations may be transmitted to the proper state officials and the true facts presented to the public. We especially urge that the following matters should be investigated:

1. The quality and amount of food being served to the inmates.
2. The fire hazards at the institution.
3. The matter of patients being committed to Warm Springs that should properly be sent to the State Training School and those sent to the Training School that should be committed to Warm Springs.
4. The method of operation of the state farm at Warm Springs.
5. The feasibility of appointing a joint business manager for the State Hospital for Insane, the State Prison and the State Tuberculosis Sanitarium.
6. Any other matter that might appertain to improving conditions at the State Hospital.

That the Committee make a complete report on or before the 56th day of this session, in order that the wide-spread rumors may be corrected.

Therefore, we move the Speaker of the House appoint a committee of five from this body to investigate the matters above mentioned.

HAMMOND,
NEWELL,
JAMES,
ZUCK,
CLIFFORD,
McGREEVEY,
NASH,
HELDING,
ARMSTRONG,
BYRNE.

Whereupon said motion was duly seconded and carried, and the Speaker appointed the following committee to act under said motion: Lynch of Choteau, Chairman; Hammond of Yellowstone, Flook of Fergus, Holding of Missoula, and Clifford of Deer Lodge.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 368.

SAYLOR, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, February 25, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-FIRST DAY

House of Representatives,
Helena, Montana,
February 25, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: McDaniel, Miller, Tonn, Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Fiftieth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 109, respectfully report as follows: That Senate Bill No. 109 be not concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bills Nos. 370, 371, 372, 373, 374, 375, 376, 377, 384 and 386, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Speaker Pro Tem in the Chair.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 90—Relating to challenging of voters in school district elections.

H. B. No. 101—Appropriations for State Public School General Fund.

H. B. No. 113—Relating to the form of application for absent voter's ballot.

H. B. No. 126—Relating to and prohibiting giving of security for deposits by banks.

H. B. No. 153—Relating to protection of forest lands within the State of Montana.

Sub. H. B. No. 168—To fix the standard classes and grades of mustard seeds.

H. B. No. 307—Relating to execution of mortgages of personal property.

H. J. M. No. 7—Requesting the Congress to assist the beet sugar industry in Montana.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and same are herewith returned to the House:

H. B. No. 177, by Anson.

H. B. No. 228, by Aronson.

Sub. H. B. No. 87, by Committee on Judiciary.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 28, by Tyler, et al.

H. B. No. 115, by Cannon and Lowe.

H. B. No. 122, by Committee on Livestock and Public Ranges.

H. B. No. 206, by Zuck, et al.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate and bills are herewith returned to the House:

H. B. No. 42, by Revenue and Taxation Committee.

H. B. No. 170, by Morrow.

H. B. No. 181, by Cannon and Mernin.

H. B. No. 201, by Dillavou.

H. B. No. 225, by Toomey and Ahern.

H. B. No. 336, by Parker (Flathead) and Allen.

I am directed by the Senate to inform your Honorable Body that the Senate this day reconsidered its action of yesterday in asking the President of the Senate to appoint a committee of five to make an investigation of conditions at Hospital at Warm Springs, in accordance with the report read and adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, by unanimous consent, without previous notice, read first and second times at length and referred to committees:

House Bill No. 388: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation of certain state departments, as designated herein, for the four month period, beginning March 1, 1941, and ending June 30, 1941." Referred to the Committee on Appropriations.

House Bill No. 389: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the use of the Water Conservation Board of the State of Montana for the administration fund and for the conservation revolving fund of the Water Conservation Board for the period beginning July 1, 1941 and ending June 30, 1943." Referred to the Committee on Appropriations.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 49 was concurred by the following vote:

Ayes: Ahern, Anderson, Anson, Aronson, Banka, Beazley, Beck, Bjerneby, Blenkner, Cannon, Carlson, Castles, Dahlquist, Dillavou, Eggenberger, Esp, Fewkes, Forbregd, Friedl, Goodwin, Hageman, Harken, Harrison, Hazelbaker, Hess, Hunter, Kemmis, LaBonte, Lehrkind, Lippard, Loughran, Lowe, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Saylor, Scofield, Scott, Spiegel, Tyler, Vanek, Wilson, Winters. Total 60.

Absent and not voting: Allen, Antrim, Armstrong, Ballard, Burke, Busch, Byrne, Clifford, Cole, Cummings, Curran, Davey, Dougherty, Flook, Freshman, Gebhardt, Green, Gunderson, Hammond, Holding, Horrigan, James, Kirscher, Laubach, Lynch, McDaniel, McMichael, Miller, Murray, Rice, Roehl, Simpson, Stevens, Tonn, Toole, Toomey, Watson, Welcome, White, Williams, Zuck, Mr. Speaker. Total 42.

Senate Bill No. 55 was concurred in by the following vote:

Ayes: Ahern, Anderson, Armstrong, Aronson, Banka, Beck, Bjerneby, Blenkner, Busch, Carlson, Castles, Cole, Dahlquist, Davey, Eggenberger, Esp, Fewkes, Forbregd, Friedl, Hageman, Harken, Harrison, Hazelbaker, Hunter, James, Kemmis, LaBonte, Lehrkind, Lippard, Lowe, McKenna, McMichael, Martin of Madison, Martin of Fergus, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Simpson, Toomey, Vanek, Williams, Wilson, Winters. Total 55.

Noes: Beazley, Cannon, Goodwin, Horrigan, Loughran, McGreevey, Mernin, Morrow, Nash, O'Brien, Spiegel. Total 11.

Absent and not voting: Allen, Anson, Antrim, Ballard, Burke, Byrne, Clifford, Cummings, Curran, Dillavou, Dougherty, Flook, Freshman, Gebhardt, Green, Gunderson, Hammond, Holding, Hess, Kirscher, Laubach, Lynch, McDaniel, Miller, Murray, O'Connor, Roehl, Stevens, Tonn, Toole, Tyler, Watson, Welcome, White, Zuck, Mr. Speaker. Total 36.

Senate Bill No. 62 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Beazley, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Davey, Eggenberger, Esp, Forbregd, Friedl, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Lowe, McGreevey, McMichael, Martin of Madison, Morrow, Nash, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Reed, Rice, Scofield, Scott, Simpson, Toole, Tyler, Williams, Wilson, Winters. Total 54.

Noes: Banka, Beck, Bjerneby, Gunderson, Hess, Horrigan, James, Kirscher, McKenna, Martin of Fergus, Mernin, Nelson, Petersen, Rasmussen, Saylor, Spiegel, Vanek, Zuck. Total 18.

Absent and not voting: Antrim, Ballard, Clifford, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Fewkes, Flook, Freshman, Gebhardt, Hammond, Holding, Loughran, Lynch, McDaniel, Miller, Murray, Newell, O'Connor, Parker of Cascade, Roehl, Stevens, Tonn, Toomey, Watson, Welcome, White, Mr. Speaker. Total 30.

Senate Bill No. 63 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Friedl, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lowe, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Morrow, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Spiegel, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 69.

Noes: Simpson. Total 1.

Absent and not voting: Antrim, Ballard, Burke, Clifford, Cole, Cummings, Curran, Dillavou, Flook, Freshman, Gebhardt, Hammond, Holding, Horrigan, Lehrkind, Lippard, Loughran, Lynch, McDaniel, Mernin, Miller, Murray, O'Connor, Parker of Flathead, Parker of Cascade, Roehl, Stevens, Tonn, Watson, Welcome, White, Mr. Speaker. Total 32.

Senate Bill No. 64 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Cannon, Castles, Clifford, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Loughran, Lowe, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Potter, Reed, Rice, Saylor, Scofield, Scott, Spiegel, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Carlson. Total 69.

Noes: Simpson. Total 1.

Absent and not voting: Antrim, Ballard, Burke, Byrne, Cole, Cummings, Curran, Dillavou, Flook, Friedl, Gebhardt, Hammond, Holding, Horrigan, Kirscher, Lehrkind, Lippard, Lynch, McDaniel, Mernin, Miller, Murray, Parker of Flathead, Phelan, Rasmussen, Roehl, Stevens, Tonn, Watson, Welcome, White, Mr. Speaker. Total 32.

Senate Bill No. 65 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Banka, Beck, Bjerneby, Blenkner, Busch, Cannon, Carlson, Castles, Cole, Cummings,

Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Goodwin, Green, Hageman, Harken, Harrison, Hess, James, Kemmis, LaBonte, Loughran, Lowe, McKenna, McMichael, Martin of Madison, Martin of Fergus, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Potter, Reed, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Toole, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 64.

Noes: Beazley, McGreevey, Morrow. Total 3.

Absent and not voting: Antrim, Aronson, Ballard, Burke, Byrne, Clifford, Curran, Flook, Friedl, Gebhardt, Gunderson, Hammond, Hazelbaker, Holding, Horrigan, Hunter, Kirscher, Laubach, Lehrkind, Lippard, Lynch, McDaniel, Mernin, Miller, Parker of Flathead, Phelan, Rasmussen, Roehl, Stevens, Tonn, Toomey, Watson, Welcome, White, Mr. Speaker. Total 35.

Senate Bill No. 57 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Freshman, Goodwin, Green, Gunderson, Harken, Harrison, Hazelbaker, Hess, James, LaBonte, Lehrkind, Loughran, Lowe, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Murray, Nash, Nelson, Newell, O'Connor, Parker of Wibaux, Parker of Cascade, Potter, Reed, Saylor, Scofield, Scott, Simpson, Spiegel, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 63.

Noes: Dahlquist, Kemmis, Morrow, O'Brien. Total 4.

Absent and not voting: Antrim, Aronson, Ballard, Burke, Clifford, Curran, Flook, Forbregd, Friedl, Gebhardt, Hageman, Hammond, Holding, Horrigan, Hunter, Kirscher, Laubach, Lippard, Lynch, McDaniel, Martin of Madison, Miller, Oliver, Parker of Flathead, Petersen, Phelan, Rasmussen, Rice, Roehl, Stevens, Tonn, Watson, Welcome, White, Mr. Speaker. Total 35.

Senate Bill No. 60 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Freshman, Goodwin, Harken, Harrison, Hess, Hunter, James, Kemmis, LaBonte, Loughran, Lowe, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Potter, Reed, Saylor, Scofield, Scott, Simpson, Spiegel, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck. Total 62.

Noes: Morrow, Rice. Total 2.

Absent and not voting: Anson, Antrim, Aronson, Ballard, Burke, Clifford, Cole, Curran, Eggenberger, Flook, Friedl, Gebhardt, Green, Gunderson, Hageman, Hammond, Hazelbaker, Holding, Horrigan, Kirscher, Laubach, Lehrkind, Lippard, Lynch, McDaniel, Miller, Newell, Parker of Flathead, Phelan, Rasmussen, Roehl, Stevens, Tonn, Vanek, Watson, Welcome, White, Mr. Speaker. Total 38.

House Bill No. 368 was passed by the following vote:

Ayes: Anderson, Anson, Armstrong, Aronson, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Forbregd, Freshman, Goodwin, Green, Gunderson, Harken, Harrison, Hazelbaker, Hess, James, Kemmis, LaBonte, Lehrkind, Loughran, Lowe, McGreevey, McKenna, Mc-

Michael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Reed, Saylor, Scofield, Scott, Simpson, Spiegel, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 67.

Noes: Rice. Total 1.

Absent and not voting: Ahern, Allen, Antrim, Ballard, Beazley, Clifford, Cummings, Curran, Esp, Flook, Friedl, Gebhardt, Hageman, Hammond, Holding, Horrigan, Hunter, Kirscher, Laubach, Lippard, Lynch, McDaniel, Miller, Newell, O'Connor, Parker of Flathead, Rasmussen, Roehl, Stevens, Tonn, Watson, Welcome, White, Mr. Speaker. Total 34.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 340, "An act to provide for an apportionment of membership and representation of the several counties of Montana in the House of Representatives of the Legislative Assembly of Montana and to fix the number of members thereof."

SAM C. FORD,
Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 10:15 A. M.: House Bills Nos. 30, 133, 151, 211, 212 and 340.

COLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 388, respectfully report as follows: That House Bill No. 388 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 389, respectfully report as follows: That House Bill No. 389 do pass.

DOUGHERTY, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Tyler in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 378 be amended as follows:

Amend line 19, Section 1, by striking the name "Harrietta" and inserting in lieu thereof the name "Henrietta";

And that the same do pass, as amended;

That House Bills Nos. 379, 381, 382, 383, 385 and 387 do pass;

That Senate Bill No. 14 be concurred in;

That consideration of Senate Bill No. 15 be passed for the day;

That Senate Bill No. 36 be concurred in;

That Senate Bill No. 51 be concurred in;

That Senate Amendments to House Bill No. 28 be concurred in;

That consideration of House Bills Nos. 370, 371, 372, 373, 374, 375, 376, 377, 384, and 386 be passed temporarily;

That consideration of Senate Amendments to House Bill No. 206 be passed temporarily;

That Senate Amendments to House Bill No. 115 be concurred in;

That Senate Amendments to House Bill No. 122 be concurred in.

TYLER, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Speaker Pro Tem in the Chair.

REPORTS OF SELECT COMMITTEES

REPORT OF THE JOINT COMMITTEE OF THE SENATE AND HOUSE OF REPRESENTATIVES ON EDUCATIONAL IN- STITUTIONS AND AFFAIRS.

We, your Joint Committee of the Senate and House of the Twenty-seventh Legislative Assembly on Educational Institutions and Affairs, appointed to make recommendations on the housing situation and school situation at the Northern Montana College at Havre, Montana, and at the Montana State College at Bozeman, Montana, respectfully submit the following recommendations based on our study:

In our study of the physical plant problems and school conditions at the Northern Montana College, we were very much surprised to learn that all building that has been done, has been accomplished only in recent years and with practically no help from the State of Montana. The college has never had a share in any of the bond issues of earlier years, nor has it thus far had any direct appropriation for building purposes.

Probably very few other state institutions in the United States have had such remarkable cooperation from the people in the area that the college serves. The people of northern Montana recognize the handicaps under which this college has been working in the matter of physical plant and have given freely of materials, money and services with results that have surprised many educators from other states who have visited the institution.

When the college opened on September 24, 1929, classes for the enrollment of 80 students could be held satisfactorily in the old junior high school building. At that time, the college was presented with 62 acres of land, which was incorporated within the city limits. On this land there was an abandoned one-story brick pumping station. In 1932 this building was remodeled and a second story added at a cost to the taxpayers of

\$12,587.86. This building, east Hall, took care of the increase in enrollment. It is a building 47 feet by 38 feet, with two stories, basement and sub-basement.

As the enrollment continued to increase, it was imperative that other classroom facilities be provided. Pershing Hall, a structure 50 feet wide, 100 feet long, and three stories high, was erected with relief labor, using salvaged materials from Fort Assiniboine. The construction of this building, which was completed in 1934, is another remarkable evidence of the faith of Montana people in higher education. In addition to relief labor, citizens of Havre volunteered to work in order that the building might be hurried through to completion for the ever-expanding enrollment of the next year. Over 200,000 bricks were hauled from Fort Assiniboine to the site of the building one Sunday when practically every truck in Havre was volunteered with a driver provided. The Chamber of Commerce financed the laying of brick through script, employing union brick layers at regular scale. Finally, when all of the materials and funds were exhausted, the students of the college held a rally on the campus to which townspeople were invited and the next morning their drive for funds netted the final \$1,100.00 needed to finish enough rooms so that classes would have a place to meet. In the entire construction of this large building the taxpayers of Montana have invested only \$9,873.96. Surely the people in that area of the state, who have shown tangible evidence of such vision, determination, and sacrifice, deserve help in furthering the development of the college in its practical service to our young people.

The amazing growth of the college made it necessary to provide a place for students to live. Under the program of the Public Works Administration, a loan and grant of \$200,523.00 was obtained for the construction of a Women's Residence Hall. This building is 161 feet by 41 feet and four stories high. This beautiful building was erected and is being operated without any cost whatever to the people of Montana. The income from the very modest charge for room and board maintains the building and is paying off the bonds and interest. The building houses 111 women and is filled to capacity, with a waiting list.

Last spring a two-story building 30 feet by 40 feet, which had served as a dormitory at the County Farm, was presented to the college. A WPA project for \$11,500.00 was immediately provided and here, again, with the help of the people of the community, the building was moved in, placed on a concrete foundation, and is being conditioned inside and out and enlarged for the use of men students as a cooperative dormitory. When completed it will be L-shaped with a frontage of 60 feet and a length of 80 feet. There will be two stories, a full basement, each floor will have an area of 3,600 square feet, and it will give excellent living quarters for college men at very low cost. It will be occupied at the beginning of the autumn quarter. This building also will be the property of the State of Montana without the expenditure of any tax money whatever. It is a necessity for the men of the college; and the college students, as well as the townspeople, have felt that it must be completed.

When, this, the fourth building, is finished, the college will have a physical plant valued at over Three Hundred Thousand Dollars (\$300,000.00), but which has cost the taxpayers of Montana only \$22,361.82.

The vital need of the college at present is a classroom building or "Administration Building" to be used for instruction of students. This building will cost, when completed, approximately \$350,000.00, just about the amount that the State of Montana has already been given on this campus with practically no expense. We know of no other state institution of this size in the United States which is carrying on its work under such difficulties. People who have visited the college during the last year or two have in many cases been shocked by the conditions under which the students have been compelled to carry on professional studies. The difficulties group themselves under three headings: too great distance be-

tween buildings, unsatisfactory working quarters, and over-crowded classrooms.

In order to secure space it has been necessary to rent the basement of the Presbyterian church, which is down town, one-half mile from the buildings on the campus. In this are housed the college library and various classrooms. One block away is the old junior high school building in which there is a biology laboratory (improvised out of two classrooms) and other classrooms and offices.

Anyone who watches the hundreds of students going back and forth on cold days in winter when faces are sometimes frozen, or during heavy thaws in the spring or unusually heavy rains, which have actually made it necessary to dismiss classes rather than subject students to serious hardship, will realize the seriousness of the problem at this institution. The college was compelled to take extreme measures of renting space down town at a cost of approximately \$4,000.00 per year, because there was no other way of housing the growing enrollment.

In some cases students are compelled to work in rooms that have no outside windows and no ventilation except hall doors which are kept open. Such conditions are serious, indeed. Everyone who has seen the hardships that are occasioned by lack of an administration building and the pitiful conditions under which students in this growing young Montana college are compelled to work feels that adequate quarters must be provided at the earliest possible moment for the welfare of these students and for the greater efficiency of their professional studies.

Badly over-crowded classrooms, due to insufficient number of rooms and rapid increases in enrollment, have been a hindrance in the progress of the college. Not only would the serious handicaps under which this third largest unit of the Greater University of Montana operates justify a building, but also the rapid growth of the institution and the large territory that it serves would make this building necessary. There are indications that each year more young people who have been staying at home are deciding to enter college here because its graduates find employment. The enrollment increased 28% in the autumn of 1939 as compared with the preceding fall, and then increased approximately 10% again in the autumn of 1940.

As a matter of business-like economy, the additional needs of this rather large college are to be planned for one building. There will be a maximum need for classrooms, offices, specially-arranged laboratories, other working units, and a large library room. An auditorium will also be part of this building. Instead of having separate buildings for various purposes, this school can meet the imperative needs of its students by planning these classrooms and laboratories, offices, library and auditorium within one building.

We, your committee, therefore resolve that an appropriation of \$350,000.00 be placed on a referendum measure to be voted on by the people of the State of Montana at the 1942 general election; also that \$7,000.00 be appropriated by the Twenty-seventh Legislative Assembly for ventilation and remodeling of the buildings which it will be necessary to use during the following two years. Also that an additional \$10,000.00 be appropriated for the inclusion of a course of Industrial Arts. We feel that, due to the fact that the boys' classes at Northern Montana College are composed from the labor and farm groups of this state, there is a crying need for a proper course in manual training, welding, and such arts which will fit them for work on the farms and in the shops.

In our study of conditions at Montana State College at Bozeman, Montana, we have found that the present library, situated on the second floor of the Montana Hall, so overweights the structure that it is a dangerous hazard and if not taken care of in some manner is very likely to cause serious damage or accident to the students. Under the present arrange-

ment in the library, there is inadequate room and facilities for the student research work. We therefore recommend the construction of a new library and have received an estimated construction cost of \$225,000.00.

The Chemistry building is carrying a heavy load of students, a total of 2289 students made up the chemistry classes during 1939-1940, and at present classrooms are being maintained in unsanitary basement rooms and a makeshift lecture room has been installed in the attic. This is very impractical and results in the students not receiving full value from the lectures, especially in chemistry, where demonstrations must be made for the classes. Over half of the pupils are so far from the laboratory desks during lecture periods, that it is impossible for them to see the demonstrations clearly. It is necessarily small, and in case of fire would be a definite death trap. Their laboratory classrooms are so crowded that about five additional periods are required to attain the same teacher load which would be normal with an addition to the building. We therefore recommend for your consideration two wings to be built on the present chemistry building, one for a lecture room and the other for additional laboratory classrooms.

The dairy division at present is housed in inadequate and close quarters in one end of the Chemistry building. This is both unsanitary and unsatisfactory from a teaching and actual demonstration standpoint. At present, a class of 14 is all that can be handled at one time.

The wool laboratory is at present endeavoring to study in one section of an old barn, poorly lighted and entirely too small, and a building which is in such condition that it should be abolished. The purpose of this wool laboratory is to determine the proper shrinkage of wool for marketing purposes. It has been determined in the ordinary sale of wool there is a wide variation in shrinkage, to the loss and detriment of the wool growers. The gross value of Montana's 1941 wool clip has been estimated at \$10,289,644, and the fact that the wool growers of Montana are interested in the type of assistance mentioned in this report is evidenced by the fact that they have deposited with the Director of the Montana Agricultural Experiment Station the sum of \$2,000 to be used to purchase wool testing equipment as soon as a laboratory is provided. Services which can be rendered to the wool industry of Montana when a satisfactory wool laboratory and equipment are provided are:

- (1) Evaluate quality of individual fleeces of purebred breeding stock for registered growers—a 1% reduction in shrinkage of Montana's wool clip would increase the value of the clip by approximately \$99,000.00.

- (2) Determine shrinkage and market values of commercial wool clips—through more intelligent marketing of wool, growers should be able to increase their returns by at least 25c per ewe or \$81,200.00 on the 1941 clip.

- (3) Use facilities of a wool research laboratory for training college students, short course students, and commercial wool producers in matters pertaining to wools and the wool industry, thus providing increased incentive for the production of better wool and the use of better methods of preparing wool for market.

A small machine has already been installed in the present building which removes the dirt from the wool. This dirt amounts to from 30 to 45 per cent; hence, by eliminating the dirt, much money is saved in freight costs and the quality of the wool is greatly enhanced. This may be the beginning of processing the wool to its finished scoured state within the state, and will mean a saving of hundreds of thousands of dollars to the wool industry of Montana. It is therefore our recommendation that a separate building to house the dairy industry and wool laboratory be constructed at an estimated cost of \$85,000.00

The pattern and moulding shop at present is housed in an old stone building of about half capacity for the present engineering courses. This

is an old stone structure which was one of the original buildings on the campus. The need of two additional classrooms in the pattern and moulding shop can be taken care of by adding a wing to the present building at an estimated cost of \$65,000.00.

The present service shop and garage are of frame construction, and due to their proximity to the Main Hall, are dangerous fire hazards, as the floor joists and supports are rotting out very rapidly, and we recommend the abolishment of these buildings and the construction of a new service shop and garage at the lower end of the campus, where expensive construction would not be needed. This building can be constructed for about \$30,000.00 on present costs. The additional requirements of the heating plant, boilers and additional distributing line to properly service and heat these buildings, is estimated at \$50,000.00.

Our recommendations are not to construct the new mathematics and physics building which has been asked for, as your committee believes that with the additions heretofore recommended this \$190,000.00 request can be eliminated. In order to do this and still have the required classrooms, we recommend the inclusion of \$45,000.00 for repairs and remodeling in a contingency fund. This will permit of safeguarding and remodeling of the Military Science Hall and the floor and under-structure of the women's dormitory; the remodeling and the building of classrooms in the present library; and such additional small remodeling as we have considered.

Our total recommendation for the Montana State College is a referendum to be placed before the electors of this state in the 1942 general election for the erection of necessary additions and remodeling of the present physical plant in the sum of \$690,000.00.

Undoubtedly there are duplications overlapping in the teaching of major educational courses and the lack of correlation can be overcome to a large extent by the appointment of an Educational Commissioner. This Commissioner in our judgment should first be a man who is an educator; second, a man who possesses sound business experience and third, one who has the proper amount of tact and diplomacy in regulating and coordinating greater efficiency in our state educational institutions. After careful consideration we believe a man with these qualifications can be found in the State of Montana who is capable and will meet these requirements.

R. S. NUTT, Chairman,

R. C. DAHL,

A. A. ALVORD.

Senate Committee.

JOHN Q. ZUCK, Chairman,

J. T. NEWELL,

JERRY J. CLIFFORD.

House Committee.

On motion by Zuck, duly seconded and carried, report of the Select Committee was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 380, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 130, respectfully report as follows: That Senate Bill No. 130 be concurred in.

PARKER of Wibaux,
Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 127, respectfully report as follows: That Senate Bill No. 127 be concurred in.

McMICHAEL, Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 160, respectfully report as follows: That Senate Bill No. 160 be amended as follows: In Section 1, line 4 after the word "amount" insert the following: "not to exceed eight dollars (\$8.00) per day" and as so amended be concurred in.

PARKER OF WIBAUX,
Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 53, respectfully report as follows: That Senate Bill No. 53 be amended by adding to Section 1 on page 2 following the period after the word "rights" in line numbered 17 as follows:

"Provided, however, that nothing herein shall be construed as giving consent to the purchase or acquisition of lands by the United States or by any of its departments or officers for establishing migratory bird sanctuaries under the Migratory Bird Conservation Act of the United States, or otherwise, and that the title to all lands acquired under the provisions of this act for wild life projects and projects constructed thereon shall be and remain in the State of Montana."

And as so amended be concurred in.

ARMSTRONG,
Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Joint Memorial No. 12, respectfully report as follows: That Senate Joint Memorial No. 12 be concurred in.

McMICHAEL,
Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Labor, having had under consideration Senate Bill No. 192, respectfully report as follows: That Senate Bill No. 192 be amended as follows: amend Section 1, Line 2, by striking out the words, "Governor of Montana" and inserting in lieu thereof the words "The Commissioner of the Department of Labor and Agriculture."

And as so amended be concurred in.

MURRAY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Joint Memorial No. 16, respectfully report as follows: That Senate Joint Memorial No. 16 be concurred in.

McMICHAEL,
Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 105, respectfully report as follows: That Senate Bill No. 105 be amended in Section 1 thereof in Line 13 of the original bill (being Line 3 of said Section in the printed bill) following the word "order," by inserting the words "mutual life association", and that said Section be further amended in Line 18 of the original bill (being line 6 of said section in the printed bill) after the word "government," by inserting the following "or whose membership is limited to the members of a lodge system with ritualistic form of work and representative form of government," and striking out all of the underlined words in the original bill in Lines 20 to 25 thereof (being the italicized words in Lines 8, 9 and 10 of said Section of the printed bill),

And as so amended the same be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 177, respectfully report as follows: That Senate Bill No. 177 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Substitute for Senate Bill No. 67, respectfully report as follows: That Senate Substitute for Senate Bill No. 67 be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 178, respectfully report as follows: That Senate Bill No. 178 be amended in Section 1 thereof in Line 20 of Page 1 of the original bill (being line 6 of said section of the printed bill) by inserting after the word "persons" the following words "whose names are unknown to plaintiff" and that the same be further amended in Section 2 thereof in line 7 of page 2 of the original bill (being line 2 of said section 2 of the printed bill) by inserting after the word "been" the word "so", and as so amended the same be concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 100, respectfully report as follows: That Senate Bill No. 100 be concurred in.

TOOLE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Burke, duly seconded and carried, that the report of the Joint Committee of the Senate and House on the Educational Institutions at Havre and Bozeman, be mimeographed and placed on the desks of the members.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 47—Relating to the qualifications of persons licensed to practice dentistry.

H. B. No. 167—Relating to time of redemption from tax sales and decreasing the time therefor.

SAM C. FORD
Governor.

INTRODUCTION OF BILLS

The following bills were introduced by unanimous consent of the House, without previous notice, read first and second times and referred to committees, all appropriation measures having been read at length:

House Bill No. 390: Introduced by House Committee on the Joint House and Senate Committee on Educational Institutions and Affairs: A bill for an act entitled: "An act to authorize the State of Montana to become indebted in the sum of six hundred ninety thousand dollars in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction, repair, remodeling and equipping of necessary buildings at the Montana State College at Bozeman, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof, prescribing the form of such bonds and providing for the levy of an annual tax sufficient to pay the principal thereof and the interest accruing thereon, and providing for a referendum of this act." Referred to the Committee on Appropriations.

House Bill No. 391: Introduced by House Committee of the Joint House and Senate Committee on Educational Institutions and Affairs: A bill for an act entitled: "An act to authorize the State of Montana to become indebted in the sum of three hundred fifty thousand dollars in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction and equipment of necessary buildings at the Northern Montana College, at Havre, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof, prescribing the form of such bonds and providing for the levy of an annual tax sufficient to pay the principal thereof and the interest accruing thereon, and providing for a referendum of this act." Referred to the Committee on Appropriations.

House Bill No. 392: Introduced by Committee on Judiciary: A bill for an act entitled: "An act to provide for the payment of court costs and fees and board of prisoners in all highway patrol court cases and providing for the deduction of court costs and fees by the courts and for the payment of the expenses of counties, in the event prisoners have been boarded." Referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 132, respectfully report as follows: That Senate Bill No. 132 be not concurred in.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 378, 379, 381, 383, 387, and 382.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 186, respectfully report as follows: That Senate Bill No. 186 be placed on general orders without recommendation.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 385.

SAYLOR, Chairman.

Report adopted.

THIRD READING

The following Senate Amendments to House Bills were concurred in:

Senate Amendments to House Bill No. 28 were concurred in by the following vote:

Ayes: Anderson, Antrim, Aronson, Ballard, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Carlson, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Freshman, Friedl, Green, Hageman, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lowe, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Morrow, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 66.

Absent and not voting: Ahern, Allen, Anson, Armstrong, Banka, Beazley, Burke, Castles, Clifford, Cole, Davey, Eggenberger, Flook, Gebhardt, Goodwin, Gunderson, Hammond, Holding, Horrigan, Kirscher, Lehrkind, Lippard, Loughran, Lynch, McGreevey, Mernin, Miller, Nash, O'Connor, Petersen, Rasmussen, Tonn, Watson, Welcome, White, Mr. Speaker. Total 36.

Senate Amendments to House Bill No. 115 were concurred in by the following vote:

Ayes: Allen, Anderson, Armstrong, Ballard, Beck, Bjerneby, Blenkner, Burke, Byrne, Cannon, Carlson, Castles, Curran, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck. Total 64.

Noes: Dahlquist, Friedl, Horrigan, Martin of Fergus, Mernin, Morrow, Murray, Spiegel, Vanek. Total 9.

Absent and not voting: Ahern, Anson, Antrim, Aronson, Banka, Beazley, Clifford, Cole, Cummings, Davey, Eggenberger, Flook, Gunderson, Hammond, Holding, Kirscher, Lehrkind, Lippard, Loughran, Lynch, Miller,

Nash, O'Connor, Rasmussen, Tonn, Watson, Welcome, White, Mr. Speaker. Total 29.

Senate Amendments to House Bill No. 122 were concurred in by the following vote:

Ayes: Allen, Anderson, Ballard, Beck, Bjerneby, Busch, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck. Total 70.

Absent and not voting: Ahern, Anson, Antrim, Aronson, Banka, Beazley, Blenkner, Burke, Byrne, Clifford, Cole, Davey, Eggenberger, Flook, Friedl, Gunderson, Hammond, Holding, Kirscher, Lehrkind, Lippard, Lynch, Miller, Nash, O'Connor, Rasmussen, Tonn, Vanek, Watson, Welcome, White, Mr. Speaker. Total 32.

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 51 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Ballard, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cummings, Curran, Dahlquist, Dougherty, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hess, Horrigan, Hunter, James, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck. Total 68.

Noes: Esp, Scofield. Total 2.

Absent and not voting: Anson, Antrim, Aronson, Banka, Beazley, Carlson, Clifford, Cole, Davey, Dillavou, Eggenberger, Flook, Friedl, Gunderson, Hammond, Hazelbaker, Holding, Kemmis, Kirscher, Lehrkind, Lippard, Lynch, Miller, Nash, O'Connor, Rasmussen, Tonn, Vanek, Watson, Welcome, White, Mr. Speaker. Total 32.

Senate Bill No. 36 was concurred in by the following vote:

Ayes: Allen, Anderson, Aronson, Ballard, Beck, Bjerneby, Blenkner, Burke, Byrne, Castles, Cummings, Curran, Dahlquist, Dougherty, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hunter, Kemmis, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck. Total 64.

Noes: Busch, Cannon, Horrigan, Parker of Cascade, Rice, Spiegel. Total 6.

Absent and not voting: Ahern, Anson, Antrim, Armstrong, Banka, Beazley, Carlson, Clifford, Cole, Davey, Dillavou, Eggenberger, Flook,

Gunderson, Hammond, Holding, Hess, James, Kirscher, Lehrkind, Lippard, Lynch, Miller, Nash, Potter, Rasmussen, Tonn, Vanek, Watson, Welcome, White, Mr. Speaker. Total 32.

House Bill No. 378 was passed by the following vote:

Ayes: Anderson, Aronson, Ballard, Beck, Bjerneby, Blenkner, Burke, Byrne, Cannon, Castles, Cole, Curran, Dahlquist, Dougherty, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Harken, Hazelbaker, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Murray, Nelson, O'Brien, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toole, Tyler, Zuck. Total 54.

Noes: Busch, Esp, Harrison, Horrigan, Morrow, Newell, Oliver, Scofield, Toomey, Wilson, Winters. Total 11.

Absent and not voting: Ahern, Allen, Anson, Antrim, Armstrong, Banka, Beazley, Carlson, Clifford, Cummings, Davey, Dillavou, Eggenberger, Flook, Friedl, Gunderson, Hammond, Holding, Hunter, Lehrkind, Lippard, Loughran, Lynch, McMichael, Miller, Nash, O'Connor, Parker of Cascade, Rasmussen, Reed, Tonn, Vanek, Watson, Welcome, White, Williams, Mr. Speaker. Total 37.

House Bill No. 379 was passed by the following vote:

Ayes: Anderson, Armstrong, Aronson, Ballard, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cole, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Flathead, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Stevens, Toole, Toomey, Tyler, Wilson, Winters, Zuck. Total 66.

Noes: Horrigan, Simpson. Total 2.

Absent and not voting: Ahern, Allen, Anson, Antrim, Banka, Beazley, Carlson, Clifford, Cummings, Davey, Eggenberger, Flook, Friedl, Gunderson, Hammond, Holding, Lehrkind, Lippard, Lynch, McMichael, Miller, Nash, O'Connor, Parker of Wibaux, Parker of Cascade, Rasmussen, Scofield, Tonn, Vanek, Watson, Welcome, White, Williams, Mr. Speaker. Total 34.

House Bill No. 381 was passed by the following vote:

Ayes: Anderson, Anson, Armstrong, Aronson, Ballard, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cole, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Freshman, Green, Hageman, Harken, Hazelbaker, Hess, Hunter, Kemmis, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Mernin, Murray, Nelson, O'Brien, Oliver, Parker of Flathead, Petersen, Phelan, Potter, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Williams, Zuck. Total 58.

Noes: Gebhardt, Goodwin, Harrison, Horrigan, Martin of Fergus, Newell, Wilson. Total 7.

Absent and not voting: Ahern, Allen, Antrim, Banka, Beazley, Carlson, Clifford, Cummings, Curran, Davey, Eggenberger, Flook, Friedl, Gunderson, Hammond, Holding, James, Laubach, Lippard, Lynch, McMichael, Miller, Morrow, Nash, O'Connor, Parker of Wibaux, Parker of Cascade, Rasmussen, Rice, Scofield, Tonn, Vanek, Watson, Welcome, White, Winters, Mr. Speaker. Total 37.

House Bill No. 383 was passed by the following vote:

Ayes: Anderson, Aronson, Ballard, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Freshman, Gebhardt, Goodwin, Green, Hageman, Harken, Hazelbaker, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Tyler, Williams, Wilson, Zuck. Total 62.

Noes: Harrison, Horrigan, Simpson. Total 3.

Absent and not voting: Ahern, Allen, Anson, Antrim, Armstrong, Banka, Beazley, Clifford, Cummings, Curran, Davey, Eggenberger, Flook, Forbregd, Friedl, Gunderson, Hammond, Holding, Laubach, Lippard, Lynch, Miller, Morrow, Nash, O'Connor, Parker of Wibaux, Rasmussen, Reed, Rice, Tonn, Toomey, Vanek, Watson, Welcome, White, Winters, Mr. Speaker. Total 37.

House Bill No. 387 was passed by the following vote:

Ayes: Anderson, Antrim, Armstrong, Aronson, Ballard, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Freshman, Friedl, Gebhardt, Green, Hageman, Harken, Hazelbaker, Hess, Kemmis, LaBonte, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Flathead, Petersen, Phelan, Potter, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Williams, Wilson, Winters, Zuck. Total 63.

Noes: Goodwin, Harrison, Horrigan, Morrow, Parker of Cascade. Total 5.

Absent and not voting: Ahern, Allen, Anson, Banka, Beazley, Clifford, Cole, Cummings, Davey, Eggenberger, Flook, Forbregd, Gunderson, Hammond, Holding, Hunter, James, Kirscher, Laubach, Lippard, Lynch, Miller, O'Connor, Parker of Wibaux, Rasmussen, Rice, Tonn, Toomey, Tyler, Vanek, Watson, Welcome, White, Mr. Speaker. Total 34.

House Bill No. 382 was passed by the following vote:

Ayes: Anderson, Antrim, Armstrong, Aronson, Ballard, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, O'Brien, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tyler, Williams, Wilson, Winters, Zuck. Total 66.

Noes: Harrison, Horrigan, Newell. Total 3.

Absent and not voting: Ahern, Allen, Anson, Banka, Beazley, Cummings, Curran, Davey, Eggenberger, Flook, Forbregd, Gunderson, Hammond, Hazelbaker, Holding, Lehrkind, Lippard, Loughran, Lynch, Miller, O'Connor, Parker of Wibaux, Rasmussen, Rice, Tonn, Toole, Toomey, Vanek, Watson, Welcome, White, Mr. Speaker. Total 33.

House Bill No. 385 was passed by the following vote:

Ayes: Anderson, Antrim, Armstrong, Aronson, Ballard, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cole, Curran,

Dahlquist, Dougherty, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tyler, Williams, Winters, Zuck. Total 65.

Noes: Dillavou, Harrison, Horrigan, Morrow, Newell, Wilson. Total 6.

Absent and not voting: Ahern, Allen, Anson, Banka, Beazley, Clifford, Cummings, Davey, Eggenberger, Flook, Gunderson, Hammond, Hazelbaker, Holding, Kirscher, Lehrkind, Lippard, Lynch, Miller, O'Connor, Parker of Wibaux, Rasmussen, Rice, Tonn, Toole, Toomey, Vanek, Watson, Welcome, White, Mr. Speaker. Total 31.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 35, 120, 207, 177 and 228 and Substitute House Bill No. 87.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 177 introduced by me and find the same to be correct.

ANSON.

I have examined House Bill No. 35 introduced by me and find the same to be correct.

TOOLE.

I have examined House Bill No. 207 introduced by me and find the same to be correct.

O'CONNOR.

I have examined Substitute House Bill No. 87 introduced by me and find the same to be correct.

TOOLE.

I have examined House Bill No. 228 introduced by me and find the same to be correct.

ARONSON.

The Speaker Pro Tem signed the following in Open Session: Substitute House Bill No. 87, and House Bills Nos. 228, 177, 207, 120 and 35.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 388, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

LaBonte in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bills Nos. 370, 371, 372, 373, 374, 375, 376 and 377 do pass;

That House Bill No. 380 be amended as follows:

Amend Section 2 by striking out in lines 285 and 286 the words and figures "Four Thousand Dollars.....\$4,000.00" and insert in lieu thereof the words and figures "Seven Thousand Five Hundred Dollars.....\$7,500.00"; and insert the following at the end of Section 2, after line 374:

"Veterans' Welfare Commission

From the general fund

For salaries and Expenses, ten thousand dollars.....\$10,000.00"

Further amend Section 2 by inserting a comma after the figures "13,021.26" line 231, and add the following: "of which amount not to exceed \$2,000 may be used and expended by the Commission in payment of necessary court costs and expenses and for services of any special counsel employed by the Commission, and the amount remaining after payment of such court costs and expenses and special counsel, shall be used by the commission for the purpose of meeting the required allotment of funds necessary in order that the state may receive grants of federal moneys under the Wagner-Peyser Act and similar federal acts.

In addition thereto there is hereby appropriated for the use of the commission all moneys received from all federal agencies and designed for furtherance of the Unemployment Compensation and Employment Service Program, to be used for administrative purposes by the Commission.

And there is further appropriated for the use of the Commission all sums appropriated or provided by subdivisions of the State of Montana, including both counties and municipalities, together with a reasonable appraisal of the value of quarters furnished rental free for the use of the Commission, by such subdivisions of this state; the Commission shall use the same, or so much thereof as may be necessary, for the purpose of meeting demands for funds from the Commission or State of Montana, which may be hereafter made by any and all federal agencies or departments, for the purpose of matching federal funds or meeting other requirements of federal laws or regulations or requirements of federal agencies or departments, in order to obtain grants of administrative funds for the use of the Commission, or to close accounts for federal funds heretofore received by the Commission, and to replace funds found returnable and replaceable by the Social Security Board."

Amend Section 3 by striking out in lines 263 and 264 the words and figures "four thousand dollars.....\$4,000.00" and inserting in lieu thereof the words and figures "seven thousand five hundred dollars.....\$7,500.00"

Amend Section 3 by inserting a comma after the figures "\$13,021.26" in line 208 and add the following: "to be used by the Commission for the purpose of meeting the required allotment of funds necessary in order that the state may receive grants of federal moneys under the Wagner-Peyser act and similar federal acts.

In addition thereto there is hereby appropriated for the use of the Commission all moneys received from all federal agencies and designed for the furtherance of the Unemployment Compensation and Employment Service program to be used for administrative purposes by the Commission.

And there is further appropriated for the use of the commission all sums appropriated or provided by subdivisions of the State of Montana, including both counties and municipalities, together with a reasonable appraisal of the value of the quarters furnished rental free for the use of the Commission, by such subdivisions of the state, the Commission shall use the same, or so much thereof as may be necessary, for the purpose of meet-

ing demands for funds from the Commission or State of Montana, which may be hereafter made by any and all federal agencies or departments, for the purpose of matching federal funds or meeting other requirements of federal law or regulations or requirements of federal agencies or departments, in order to obtain grants of administrative funds for the use of the Commission, or to close accounts for federal funds heretofore received by the Commission and to replace funds found returnable or replaceable by the Social Security Board."

Amend Section 3 by inserting at the end of said Section after line 351 the following:

"Veterans' Welfare Commission

From the general fund

For salaries and Expenses, ten thousand dollars.....\$10,000.00"
and that House Bill No. 380 do pass, as amended.

LaBONTE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return H. B. No. 201 to the Senate for further consideration.

I am directed by the Senate to inform your Honorable Body that S. B. No. 196, by Robinson, was this day read three several times and passed, title and history agreed to, and bill is herewith transmitted to the House for concurrence.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Dillavou, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 201 be granted.

INTRODUCTION OF BILLS

The following was introduced, read first and second times, and referred to a committee:

Senate Bill No. 196: Introduced by Robinson: A bill for an act entitled: "An act to create a Montana highway traffic advisory committee to the war department, designating the officers of the aforesaid committee, delegating to said committee the power to cooperate with governmental agencies in the matter of plans for transportation of troops and military equipment over the highways; providing for the rapid movement of said troops; providing for an inventory of trucks and buses in the state; providing for highway safety training program, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday, February 26th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-SECOND DAY

House of Representatives,
Helena, Montana,
February 26, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Speaker Pro Tem in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Watson, Welcome, Mr. Speaker. The Select Committee to investigate conditions at Warm Springs was also excused, to-wit: Lynch, Hammond, Flook, Holding and Clifford.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Fifty-first Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 389, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Economy, having had under consideration Substitute Senate Bill No. 189, respectfully report as follows: That Substitute Senate Bill No. 189 be concurred in.

PETERSEN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 is reported out without recommendation.

DOUGHERTY, Chairman.

It was moved by Dougherty, duly seconded, that the report of the Committee on Appropriations be adopted.

On substitute motion, it was moved by Zuck, duly seconded and carried, that House Bill No. 390 be printed and placed on General Orders.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 391, respectfully report as follows: That House Bill No. 391 is reported out without recommendation.

DOUGHERTY, Chairman.

It was moved by Dougherty, duly seconded, that the report of the Committee on Appropriations be adopted.

On substitute motion, it was moved by Zuck, duly seconded and carried, that House Bill No. 391 be printed and placed on General Orders.

Mr. Speaker:

We, your Committee on Mines and Mining, having had under consideration Senate Bill No. 119, respectfully report as follows: That Senate Bill No. 119 be concurred in.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Bill No. 392, respectfully report as follows: That House Bill No. 392 do pass.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 15, respectfully report as follows: That Senate Joint Memorial No. 15 be concurred in.

STEVENS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. J. M. No. 6, by Esp, and Toomey.

H. B. No. 98, by Committee on Appropriations.

H. B. No. 216, by Committee on Revenue and Taxation.

H. B. No. 283, by Martin (Madison).

H. B. No. 290, by Ways and Means Committee.

H. B. No. 291, by Armstrong.

I am directed by the Senate to inform your Honorable Body that the following bills were this day recommended for non-concurrence in the Senate, and Bills are herewith returned to the House:

H. B. No. 31, by Allen.

H. B. No. 63, by Spiegel, et al.

H. B. No. 121, by Hammond.

H. B. No. 243, by Committee on Horticulture.

H. B. No. 253, by Toole.

Sub. H. B. No. 279, by Committee on Revenue and Taxation.

H. B. No. 325, by Ahern.

H. B. No. 338, by Allen.

H. B. No. 344, by Newell and Wilson.

H. B. No. 345, by Committee on Education.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 176, by Anson.

H. B. No. 187, by Committee on Appropriations.

H. B. No. 319, by LaBonte, et al.

H. B. No. 323, by LaBonte, et al.

H. B. No. 363, by Committee on Highways and Highway Transportation.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in the House amendments to the following Senate Bills:

S. B. Nos. 3, 4, 6, 55, 57, 61 and 62.

I am directed by the Senate to inform your Honorable Body that the Senate this day refused to concur in the House amendments to S. B. No. 60, and requests the House to appoint a committee of three to act with a like committee from the Senate for the consideration of said amendments. The President of the Senate named the following Senators to act as such committee from the Senate: Drumheller, Taylor, Gilbert.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker Pro Tem signed the following in Open Session: Senate Joint Resolution No. 1, Senate Bills Nos. 29, 20, 30, 39, 43, 46, 44, 48 and 72.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 173, respectfully report as follows: That Senate Bill No. 173 be concurred in.

HESS, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 10:15 A. M.—House Bills Nos. 120, 207, 35, 177, 228, Substitute House Bill No. 87.

COLE, Chairman.

Report adopted.

INTRODUCTION OF BILLS

House Bill No. 393 was introduced by unanimous consent of the House, without previous notice, by the Committee on Appropriations, entitled:

A bill for an act entitled: "An act to appropriate money for certain types of instruction, equipment and ventilation and remodeling of buildings at the northern Montana College at Havre, Montana."
read first and second time at length and referred to the Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Mernin in the Chair. Committee arose. House resumed.

Speaker Pro Tem in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bill No. 206 be concurred in.

That House Bills Nos. 384, 386 and 388 do pass;

That House Bill No. 389 do pass;

That Senate Bill No. 15 be amended as follows:

Amend the title by inserting in line three thereof, after the word "members" the words "and employees";

Amend Section 1 in line 3 by inserting after the word "Members" the words "and employees."

Amend Section 1, line 6, by adding the following: "The State Board of Examiners may, in its discretion, require bonds of other employees of the Industrial Accident Board in such sums as will be commensurate with the amount of funds handled by such employees. Premiums for said bonds shall be paid from the general appropriations for the Industrial Accident Board.";

and that the same be concurred in as amended;

That Senate Bill No. 70 be concurred in;

Motion to concur in Senate Bill No. 76 failed.

MERNIN, Chairman.

Report adopted.

The Speaker Pro Tem appointed the following conference committee on House Amendments to Senate Bill No. 60: Toomey, Loughran and Beazley.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 370, 371, 372, 373, 374, 375, 376.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Constitutional Amendments, having had under consideration Senate Bill No. 153, respectfully report as follows: That Senate Bill No. 153 be concurred in.

LOUGHRAN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return H. B. No. 243 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 243 for further consideration be granted.

THIRD READING

The following Senate Amendments to House Bills were concurred in by the House:

Senate Amendments to House Bill No. 206 were concurred in by the following vote:

Ayes: Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Byrne, Cannon, Carlson, Castles, Cole, Dahlquist, Davey, Dillavou, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Gunderson, Harken, Harrison, Hazelbaker, Hess, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 69.

Noes: Nelson and Petersen. Total 2.

Absent and not voting: Ahern, Allen, Anderson, Antrim, Armstrong, Blenkner, Burke, Busch, Clifford, Cummings, Curran, Dougherty, Eggenberger, Esp, Flook, Friedl, Hageman, Hammond, Holding, Horrigan, James, Lehrkind, Lippard, Lynch, Morrow, Murray, O'Connor, Watson, Welcome, White, Mr. Speaker. Total 31.

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 370 was passed by the following vote:

Ayes: Ahern, Anderson, Anson, Aronson, Ballard, Banka, Beck, Bjorneby, Busch, Byrne, Cannon, Carlson, Castles, Cole, Curran, Dahlquist, Davey, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hess, Hunter, Kemmis, Kirscher, LaBonte, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Simpson, Tonn, Toole, Toomey, Williams, Wilson, Zuck. Total 67.

Noes: Tyler. Total 1.

Absent and not voting: Allen, Antrim, Armstrong, Beazley, Blenkner, Burke, Clifford, Cummings, Dillavou, Dougherty, Eggenberger, Flook, Hammond, Hazelbaker, Holding, Horrigan, James, Laubach, Lehrkind, Lippard, Lynch, Martin of Madison, Morrow, Murray, O'Connor, Scofield, Spiegel, Stevens, Vanek, Watson, Welcome, White, Winters, Mr. Speaker. Total 34.

House Bill No. 371 was passed by the following vote:

Ayes: Anderson, Anson, Armstrong, Aronson, Banka, Beck, Bjorneby, Busch, Byrne, Cannon, Carlson, Castles, Curran, Dahlquist, Davey, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Harken, Harrison, Hess, Hunter, Kemmis, Kirscher, LaBonte, Loughran, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Simpson, Spiegel, Stevens, Vanek, Wilson. Total 56.

Noes: Ballard, Green, Hageman, Lowe, Oliver, Toomey. Total 6.

Absent and not voting: Ahern, Allen, Antrim, Beazley, Blenkner, Burke, Clifford, Cole, Cummings, Dillavou, Dougherty, Eggenberger, Esp,

Hammond, Hazelbaker, Holding, Horrigan, James, Laubach, Lehrkind, Lippard, Lynch, Martin of Madison, Morrow, Murray, Newell, O'Connor, Scofield, Scott, Tonn, Toole, Tyler, Watson, Welcome, White, Williams, Winters, Zuck, Mr. Speaker. Total 40.

House Bill No. 372 was passed by the following vote:

Ayes: Anderson, Anson, Armstrong, Ballard, Banka, Beck, Bjerneby, Cannon, Castles, Cole, Curran, Dahlquist, Davey, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hess, Hunter, Kemmis, Kirscher, Loughran, Lowe, McGreevey, McKenna, McMichael, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Reid, Roehl, Saylor, Simpson, Spiegel, Stevens, Tonn, Toomey, Vanek, Wilson, Zuck. Total 57.

Noes: None.

Absent and not voting: Ahern, Allen, Antrim, Aronson, Beazley, Blenkner, Burke, Busch, Byrne, Carlson, Clifford, Cummings, Dillavou, Dougherty, Eggenberger, Flook, Hammond, Hazelbaker, Holding, Horrigan, James, LaBonte, Laubach, Lehrkind, Lippard, Lynch, McDaniel, Martin of Madison, Mernin, Morrow, Murray, O'Connor, Petersen, Rasmussen, Rice, Scofield, Scott, Toole, Tyler, Watson, Welcome, White, Williams, Winters, Mr. Speaker. Total 45.

House Bill No. 373 was passed by the following vote:

Ayes: Anderson, Anson, Ballard, Banka, Beck, Bjerneby, Busch, Byrne, Cannon, Carlson, Castles, Cole, Curran, Dahlquist, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Hess, James, Kemmis, Kirscher, Loughran, Lowe, McGreevey, McKenna, McMichael, Martin of Fergus, Miller, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toole, Vanek, Williams, Zuck. Total 57.

Noes: Armstrong, Davey, Harrison, Newell, Tonn, Wilson. Total 6.

Absent and not voting: Ahern, Allen, Antrim, Aronson, Beazley, Blenkner, Burke, Clifford, Cummings, Dillavou, Dougherty, Eggenberger, Flook, Hammond, Hazelbaker, Holding, Horrigan, Hunter, James, LaBonte, Laubach, Lehrkind, Lippard, Lynch, McDaniel, Martin of Madison, Mernin, Morrow, Murray, O'Connor, Rice, Scofield, Toomey, Tyler, Watson, Welcome, White, Winters, Mr. Speaker. Total 38.

Passed: Esp. Total 1.

House Bill No. 374 was passed by the following vote:

Ayes: Anderson, Anson, Armstrong, Ballard, Bjerneby, Byrne, Cannon, Carlson, Castles, Cole, Davey, Dougherty, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Hess, Kemmis, Kirscher, LaBonte, Loughran, Lowe, McKenna, McMichael, Martin of Fergus, Miller, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Zuck. Total 58.

Noes: Beck, Dahlquist, Harrison, Newell. Total 4.

Absent and not voting: Ahern, Allen, Antrim, Aronson, Banka, Beazley, Blenkner, Burke, Busch, Clifford, Cummings, Curran, Dillavou, Eggenberger, Flook, Hammond, Hazelbaker, Holding, Horrigan, Hunter, James, Laubach, Lehrkind, Lippard, Lynch, McDaniel, McGreevey, Martin of Madison, Mer-

nin, Morrow, Murray, Nash, O'Connor, Scofield, Watson, Welcome, White, Winters, Mr. Speaker. Total 39.

Passed: Esp. Total 1.

House Bill No. 375 was passed by the following vote:

Ayes: Anderson, Anson, Ballard, Banka, Busch, Byrne, Cannon, Carlson, Castles, Curran, Dahlquist, Davey, Dougherty, Fewkes, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Hess, James, Kemmis, LaBonte, Loughran, Lowe, McKenna, McMichael, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, Williams, Wilson, Zuck. Total 56.

Noes: Harrison, Oliver, Toomey. Total 3.

Absent and not voting: Ahern, Allen, Antrim, Armstrong, Aronson, Beazley, Beck, Bjorneby, Blenkner, Burke, Clifford, Cole, Cummings, Dillavou, Eggenberger, Esp, Flook, Forbregd, Freshman, Hammond, Hazelbaker, Holding, Horrigan, Hunter, Kirscher, Laubach, Lehrkind, Lippard, Lynch, McDaniel, McGreevey, Martin of Madison, Mernin, Morrow, Murray, O'Connor, Parker of Wibaux, Scofield, Watson, Welcome, White, Winters, Mr. Speaker. Total 43.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 77, respectfully report as follows: That Senate Bill No. 77 be amended as follows:

Amend Section 1 of the printed bill by inserting in line 22 following the word "States" the following words: "or by reason of his residence in the District of Columbia due to his employment by the United States Government"; by inserting in line 27 after the word "States" the following words: "or that he will be or was engaged in active service as an employee of the United States and residing in the District of Columbia"; and by inserting at the end of line 31 a comma in place of the period and adding the following words: "or by a superior officer of said employee that such elector is employed by the United States and residing in the District of Columbia as of the date of such endorsement." And as amended be concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 33, respectfully report as follows: That Senate Bill No. 33 be not concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration

Senate Bill No. 161, respectfully report as follows: That Senate Bill No. 161 be not concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 169, respectfully report as follows: That Senate Bill No. 169 be not concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 32, respectfully report as follows: That Senate Bill No. 32 be not concurred in.

TOOLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Substitute for Senate Bill No. 50, respectfully report as follows: That Senate Substitute for Senate Bill No. 50 be not concurred in.

TOOLE, Chairman.

Report adopted.

House Bill No. 376 was passed by the following vote:

Ayes: Anderson, Anson, Antrim, Ballard, Banka, Beck, Bjerneby, Busch, Byrne, Cannon, Carlson, Castles, Curran, Davey, Dougherty, Fewkes, Freshman, Friedl, Goodwin, Green, Gunderson, Harken, Hess, Kemmis, Kirscher, LaBonte, Loughran, Lowe, McDaniel, McKenna, McMichael, Martin of Fergus, Miller, Nelson, O'Brien, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Scott, Simpson, Spiegel, Stevens, Tyler, Vanek, Williams. Total 51.

Noes: Harrison, Newell, Oliver, Tonn, Toomey, Wilson, Zuck. Total 7.

Absent and not voting: Ahern, Allen, Armstrong, Aronson, Beazley, Blenkner, Burke, Clifford, Cole, Cummings, Dahlquist, Dillavou, Eggenberger, Flook, Forbregd, Gebhardt, Hageman, Hammond, Hazelbaker, Helding, Horrigan, Hunter, James, Laubach, Lehrkind, Lippard, Lynch, McGreevey, Martin of Madison, Mernin, Morrow, Murray, Nash, O'Connor, Parker of Cascade, Saylor, Scofield, Toole, Watson, Welcome, Winters, Mr. Speaker. Total 43.

Passed: Esp. Total 1.

Senate Bill No. 15 was concurred in by the following vote:

Ayes: Anderson, Anson, Antrim, Ballard, Beck, Bjerneby, Burke, Byrne, Cannon, Carlson, Castles, Curran, Esp, Fewkes, Freshman, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hess, Kemmis, Kirscher, LaBonte, Loughran, Lowe, McDaniel, McKenna, McMichael, Martin of Madison, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, Williams, Wilson, Zuck. Total 59.

Noes: Banka, Martin of Fergus, Morrow. Total 3.

Absent and not voting: Ahern, Allen, Armstrong, Aronson, Beazley, Blenkner, Busch, Clifford, Cole, Cummings, Dahlquist, Davey, Dillavou,

Dougherty, Eggenberger, Flook, Forbregd, Friedl, Gebhardt, Hammond, Hazelbaker, Holding, Horrigan, Hunter, James, Laubach, Lehrkind, Lippard, Lynch, McGreevey, Murray, O'Connor, Parker of Cascade, Rice, Toole, Watson, Welcome, White, Winters, Mr. Speaker. Total 40.

Senate Bill No. 70 was concurred in by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Aronson, Beck, Bjorneby, Burke, Busch, Byrne, Davey, Dillavou, Esp, Fewkes, Gebhardt, Hageman, Harken, Harrison, Hess, Horrigan, Hunter, Kirscher, Laubach, Lehrkind, Lowe, McDaniel, McMichael, Martin of Madison, Mernin, Nash, Newell, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Spiegel, Stevens, Tonn, Toole, Toomey, Williams, Wilson, Zuck. Total 46.

Noes: Anderson, Armstrong, Ballard, Banka, Beazley, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Dougherty, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Hazelbaker, Kemmis, LaBonte, Loughran, McGreevey, McKenna, Martin of Fergus, Miller, Morrow, Murray, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Roehl, Scott, Simpson, Tyler, Vanek, Winters. Total 43.

Absent and not voting: Blenkner, Clifford, Eggenberger, Flook, Hammond, Holding, James, Lippard, Lynch, Watson, Welcome, White, Mr. Speaker. Total 13.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 188, "An act to repeal Chapter 123 of the regular session of the Twenty-sixth Legislative Assembly, 1939, relating to copyrights and public performing rights in musical compositions," etc.

SAM C. FORD,
Governor.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 176, respectfully report as follows: That Senate Bill No. 176 be concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 136, respectfully report as follows: That Senate Bill No. 136 be not concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 79, respectfully report as follows: That Senate Bill No. 79 be not concurred in.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 58, respectfully report as follows: That Senate Bill No. 58 be concurred in.

LEHRKIND, Chairman.

It was moved by Lehrkind, duly seconded, that the report of the Committee on Revenue and Taxation on Senate Bill No. 58 be adopted. Motion failed.

Mr. Speaker:

We, your Committee on Livestock and Public Ranges, having had under consideration Substitute Senate Bill No. 85, respectfully report as follows: That Substitute Senate Bill No. 85, be concurred in.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your "A" Committee on Social Security, having had under consideration Senate Bill No. 142, respectfully report as follows: That Senate Bill No. 142 be not concurred in.

BYRNE, Chairman.

MARTIN,
FEWKES,
CARLSON,
HARKEN,
PHELAN,
McGREEVEY.

Mr. Speaker:

We, your "B" Committee on Social Security, having had under consideration Senate Bill No. 142, respectfully report as follows: That Senate Bill No. 142 be concurred in.

STEVENS,
WILLIAMS,
POTTER,
KEMMIS,
BALLARD,
ANSON,
SCOFIELD.

It was moved by Byrne, duly seconded, that the "A" report on House Bill No. 142 be adopted.

On substitute motion, it was moved by Stevens, duly seconded that the "B" report on House Bill No. 142 be adopted.

As a substitute motion for all motions pending, it was moved by Murray, duly seconded and carried, that the motion by Stevens be laid on the table.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration, Senate Bill No. 196, respectfully report as follows: That Senate Bill No. 196 be concurred in.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Bill No. 75, respectfully report as follows: That Senate Bill No. 75 be amended by striking out all of Sections 6 and 7 of the original bill and substituting in lieu thereof the following:

Section 6. There shall be a referendum upon this act, and the Secretary of State of the State of Montana is hereby required and it is made

his duty to submit this act to the people of the State of Montana for their approval or rejection at the general election to be held in November, 1942, in accordance with the provisions of the Constitution and the laws of the State of Montana relative thereto; the title and number of this referendum act shall be printed upon the official ballot used at said election and below the title shall be printed the words:



For the Act providing for the appointment of a Water Commissioner to divide, admeasure and distribute decreed or stored waters in ditches owned by co-partnerships, tenants in common, shareholders or corporations.



Against the act providing for the appointment of a Water Commissioner to divide, admeasure and distribute decreed or stored waters in ditches owned by co-partnerships, tenants in common, shareholders, or corporations.

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote.

Section 7. The vote upon this referendum act shall be counted and canvassed as is provided by law and if a majority of all votes cast at such election for and against such referendum act shall be in favor of the act, the governor of the State of Montana shall immediately so declare by public proclamation.

Section 8. All acts and parts of acts in conflict herewith are hereby repealed.

Section 9. This act shall be in full force and effect from and after its passage and approval.

And that as so amended the same be concurred in.

TOOLE, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Curran in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bill No. 76 be concurred in;

That Substitute Senate Bill No. 78 be concurred in;

That Senate Bill No. 82 be concurred in;

That Senate Bill No. 84 be concurred in;

That Senate Bill No. 87 be concurred in;

That Senate Amendments to House Bill No. 176 be concurred in;

That Senate Amendments to House Bill No. 187 be not concurred in and that a Conference Committee be appointed by the House and a like committee be requested from the Senate;

That Senate Amendments to House Bill No. 319 and 323 be concurred in;

That Senate Amendments to Substitute House Bill No. 363 be concurred in;

That Substitute Senate Bill No. 85 be concurred in;

CURRAN, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 115, 122, 290, 98, 216, 283, 206, 291, House Joint Memorial No. 6.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 115 introduced by me and find the same to be correct.

CANNON.

I have examined House Bill No. 122 introduced by me and find the same to be correct.

RICE.

I have examined House Bill No. 98 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 290 introduced by me and find the same to be correct.

FRIEDL.

I have examined House Bill No. 283 introduced by me and find the same to be correct.

MARTIN of Madison.

I have examined House Joint Memorial No. 6 introduced by me and find the same to be correct.

ESP.

I have examined House Bill No. 206 introduced by me and find the same to be correct.

ZUCK.

I have examined House Bill No. 291 introduced by me and find the same to be correct.

ARMSTRONG.

I have examined House Bill No. 216 introduced by me and find the same to be correct.

LEHRKIND.

The Speaker Pro Tem signed the following in Open Session: House Bills Nos. 115, 122, 290, 98, 216, 283, 206, 291 and House Joint Memorial No. 6.

The Speaker Pro Tem appointed the following conference committee to act with a like committee from the Senate on Senate Amendments to House Bill No. 187: Zuck, Anson and Ahern.

THIRD READING

The following Senate Amendments to House Bills were concurred in by the House:

Senate Amendments to House Bill No. 176 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Banka, Beck, Bjerneby, Burke, Busch, Byrne, Cannon, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Wilson, Winters, Zuck. Total 77.

Noes: Gunderson. Total 1.

Absent and not voting: Antrim, Ballard, Beazley, Blenkner, Carlson, Castles, Clifford, Cole, Flook, Hammond, Lehrkind, Lippard, Lynch, Morrow, Newell, Rice, Vanek, Watson, Welcome, White, Williams, Mr. Speaker. Total 24.

Senate Amendments to House Bill No. 319 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Banka, Beck, Bjerneby, Burke, Busch, Cannon, Carlson, Castles, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Hageman, Harken, Hazelbaker, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Wilson, Winters, Zuck, Gebhardt. Total 76.

Noes: None.

Absent and not voting: Antrim, Armstrong, Ballard, Beazley, Blenkner, Byrne, Clifford, Cole, Curran, Fewkes, Flook, Hammond, Harrison, Holding, Kemmis, Lehrkind, Lynch, Morrow, Parker of Flathead, Rice, Vanek, Watson, Welcome, White, Williams, Mr. Speaker. Total 26.

Senate Amendments to House Bill No. 323 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Banka, Beck, Bjerneby, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Harken, Hazelbaker, Hess, Horrigan, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck. Total 76.

Noes: None.

Absent and not voting: Antrim, Armstrong, Beazley, Blenkner, Clifford, Cole, Flook, Green, Gunderson, Hammond, Harrison, Holding, Kemmis, Lehrkind, Lippard, Lynch, McMichael, Morrow, Parker of Cascade, Petersen, Rice, Vanek, Watson, Welcome, White, Mr. Speaker. Total 26.

Senate Amendments to Substitute House Bill No. 363 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Banka, Beck, Bjerneby, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Hazelbaker, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck. Total 74.

Noes: None.

Absent and not voting: Antrim, Armstrong, Beazley, Blenkner, Clifford, Cole, Curran, Flook, Hammond, Harrison, Holding, Horrigan, Kemmis, Lehrkind, Lippard, Lynch, McMichael, Martin of Madison, Mernin, Murray, Parker of Cascade, Petersen, Roehl, Vanek, Watson, Welcome, White, Mr. Speaker. Total 28.

Substitute Senate Bill No. 85, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Ballard, Banka, Beck, Bjerneby, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Loughran, McDaniel, McGreevey, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Rice, Saylor, Scofield, Scott, Simpson, Spiegel, Tonn, Toole, Toomey, Tyler, Wilson, Winters, Zuck. Total 66.

Noes: Burke, McKenna, O'Connor. Total 3.

Absent and not voting: Antrim, Armstrong, Aronson, Beazley, Blenkner, Clifford, Cole, Curran, Esp, Flook, Gunderson, Hammond, Holding, Horrigan, Kemmis, Lehrkind, Lippard, Lowe, Lynch, McMichael, Mernin, Murray, O'Brien, Parker of Cascade, Petersen, Roehl, Stevens, Vanek, Watson, Welcome, White, Williams, Mr. Speaker. Total 33.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 391 and 392, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Castles in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bills No. 53 and 105 be concurred in;

That Senate Bill No. 106 be not concurred in;

That Senate Bill No. 160 be concurred in;

That consideration of Senate Bill No. 178 be passed for the day.

That Senate Bills Nos. 192 and 90 be concurred in;

That Senate Bill No. 97 be not concurred in;

That Senate Bill No. 98 be concurred in.

CASTLES, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 377, 384, 386, 388, 389.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling beg leave to report the following bill correctly enrolled: House Bill No. 28.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 28 introduced by me and find the same to be correct.

TYLER.

The Speaker Pro Tem signed House Bill No. 28 in Open Session.

THIRD READING

The following, having been read three several times, history and title agreed to; were dispensed with as follows; all appropriation measures having been read at length:

House Bill No. 377 was passed by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Hazelbaker, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, Vanek, Williams, Winters, Zuck. Total 66.

Noes: Harrison, Horrigan, Newell, Oliver, Simpson, Tonn, Williams. Total 7.

Absent and not voting: Ahern, Antrim, Beazley, Blenkner, Burke, Clifford, Cole, Eggenberger, Esp, Flook, Forbregd, Gunderson, Hammond, Holding, Hess, Lehrkind, Lippard, Lowe, Lynch, Martin of Madison, Murray, O'Connor, Parker of Cascade, Rasmussen, Tyler, Watson, Welcome, White, Mr. Speaker. Total 29.

House Bill No. 384 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Burke, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Forbregd, Freidl, Gebhardt, Goodwin, Green, Gunderson, Harken, Hazelbaker, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Nash, Nelson, O'Brien, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Toole, Toomey, Williams, Zuck. Total 64.

Noes: Busch, Harrison, Horrigan, Newell, Oliver, Simpson, Tonn, Vanek, Wilson, Winters. Total 10.

Absent and not voting: Antrim, Beazley, Blenkner, Clifford, Cole, Eggenberger, Esp, Flook, Freshman, Hageman, Hammond, Holding, Hunter, Lippard, Lowe, Lynch, Martin of Madison, Morrow, Murray, O'Connor, Parker of Cascade, Petersen, Rasmussen, Tyler, Watson, Welcome, White, Mr. Speaker. Total 28.

House Bill No. 386 was passed by the following vote:

Ayes: Ahern, Anson, Armstrong, Ballard, Banka, Beck, Bjerneby, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Harken, Hazelbaker, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, Williams, Winters, Zuck. Total 71.

Noes: Horrigan, Newell, Wilson. Total 3.

Absent and not voting: Allen, Anderson, Antrim, Aronson, Beazley, Blenkner, Burke, Clifford, Eggenberger, Esp, Flook, Hageman, Hammond, Harrison, Holding, Hunter, Lehrkind, Lippard, Lowe, Lynch, Martin of Madison, Murray, Petersen, Tyler, Watson, Welcome, White, Mr. Speaker. Total 28.

House Bill No. 388 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Burke, Busch, Byrne, Cannon, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Green, Gunderson, Harken, Harrison, Hazelbaker, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, Williams, Wilson, Winters. Total 77.

Noes: None.

Absent and not voting: Antrim, Beazley, Blenkner, Carlson, Clifford, Eggenberger, Esp, Flook, Goodwin, Hageman, Hammond, Holding, Hunter, Laubach, Lowe, Lynch, Martin of Madison, Murray, Petersen, Tyler, Watson, Welcome, White, Zuck, Mr. Speaker. Total 25.

House Bill No. 389 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Cole, Cummings, Curran, Dahl-

quist, Davey, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Harken, Harrison, Hazelbaker, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, McDaniel, McGreevey, McKenna, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, Williams, Winters, Zuck. Total 74.

Noes: Anson, Beazley, Horrigan, Simpson. Total 4.

Absent and not voting: Antrim, Armstrong, Aronson, Castles, Clifford, Eggenberger, Flook, Hageman, Hammond, Holding, Hunter, Lippard, Lowe, Lynch, McMichael, Martin of Madison, Murray, Parker of Cascade, Tyler, Watson, Welcome, White, Wilson, Mr. Speaker. Total 24.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return H. B. No. 170 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 170 for further consideration be granted.

Unanimous consent of the House was granted, on motion of Byrne, duly seconded, to the attaches of the House for the use of the House Chambers for a Mock Session and rehearsals thereof.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday, February 27th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNEN, Chief Clerk.

FIFTY-THIRD DAY

House of Representatives,
Helena, Montana,
February 27, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present, except the following who were excused: Flook, Hammond, Holding, Lynch, Watson, Welcome, White.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Fifty-second Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 191, respectfully report as follows: That Senate Bill No. 191 be not concurred in.

HESS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 30—Providing for instruction in health, physical education and recreation in public schools.

H. B. No. 35—Relating to the selection of homesteads.

H. B. No. 120—Relating to Deputy Registrars; providing for their appointment and compensation.

H. B. No. 177—Relating to certified copies of records—fees.

H. B. No. 212—Authorizing directors of a corporation to amend its articles of incorporation to decrease its capital stock.

H. B. No. 228—Relating to establishment, construction, equipment, maintenance, management and operation of airports and landing fields.

Sub. H. B. No. 87—Directing the State Board of Examiners to issue State Insane Hospital bonds of the State of Montana.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that H. J. M. No. 12, by Busch, was this day read third time and concurred in as amended, title and history agreed to, and same is herewith returned to the House for concurrence in the Senate amendments.

I am directed by the Senate to inform your Honorable Body that the following bills were this day recommended for non-concurrence in the Senate, and bills are herewith returned to the House.

H. B. No. 89, by Committee on Education.

H. B. No. 138, by O'Brien, et al.

H. B. No. 221, by Laubach, et al.

H. B. No. 224, by Laubach, et al.

H. B. No. 229, by Morrow, et al.

H. B. No. 289, by Anderson and Scott.

H. B. No. 334, by McGreevey, et al.

H. B. No. 357, by Dahlquist.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. J. M. No. 8, by Carlson and O'Connor.

H. J. M. No. 9, by Committee on Military Affairs.

H. J. M. No. 10, by Toole.

H. J. M. No. 11, by Saylor, et al.

H. B. No. 61, by Toomey, et al.

H. B. No. 112, by Clifford, Murray and Stevens.

H. B. No. 131, by Toomey, et al.

H. B. No. 226, by Toomey and Ahern.

H. B. No. 249, by Burke.

H. B. No. 314, by Rice, et al.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return H. B. No. 112 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Kemmis, duly seconded and carried, that Senate Bill No. 58 be placed on General Orders.

It was moved by Byrne, duly seconded and carried, that the House request of the Honorable Senate for the return of House Bill No. 112 for further consideration, be granted.

It was moved by Parker of Flathead, duly seconded and carried, that the House reconsider its action in refusing to concur in Senate Bill No. 106.

It was moved by Parker of Flathead, duly seconded and carried, that the House request the Senate to return Senate Bill No. 106 to the House for further consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 390, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: H. B. No. 380.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Substitute for Senate Bill No. 116, respectfully report as follows: That Senate Substitute for Senate Bill No. 116 be amended as follows: That the title of said bill be amended by striking out the quotation marks and period after the last word of said title and inserting in lieu thereof after the last word in said title a comma and the following words: "And repealing Section 4481.2 and Section 4481.3 of the Revised Codes of Montana of 1935.", and be further amended in Section 1 thereof, line 1 of page 2 thereof of the original bill (being line 13 of said section of the printed bill) by striking out the words "or assignee" and by inserting in lieu thereof the words "or successor in interest"; in Section 2 thereof by striking out lines 16 to 32 inclusive on page 2 and line 1 on page 3 of the original bill (being lines 7 to 19 inclusive of said section of the printed bill); and in Section 2 thereof

by striking out in line 12 of page 3 of the original bill (being line 27 of said section of the printed bill) the word "shall" and by inserting in lieu thereof the word "may"; and that Section 2 be further amended in line 12 on page 3 of the original bill (being line 27 of said section of the printed bill) by striking out the words "one-sixteenth (1/16) or a"; and that said Section 2 be further amended in line 14 of page 3 of the original bill (being line 28 of said section of the printed bill) by striking out the words and punctuation "in said land," and by inserting in lieu thereof the following words and punctuation: "produced and saved from said land.", and that said bill be further amended by adding a new section to be known as Section 11 and reading as follows: "Section 11. That Section 4481.2 and Section 4481.3 of the Revised Codes of the State of Montana of 1935, be, and the same are hereby repealed.", and amended by numbering Section 11 of the original bill and printed bill as Section 12, and that as so amended the same be concurred in.

TOOLE, Chairman.

Report adopted.

INTRODUCTION OF BILLS

Dougherty of Powell, Chairman of the Committee on Appropriations, requested the unanimous consent of the House to introduce an appropriation bill without previous notice.

Objection was raised. Point of Order was raised by Mr. Dougherty, that under House Rule No. 35, that an appropriation bill for state governmental expense could be introduced without unanimous consent.

The Speaker ruled that the bill could be introduced, on motion, by a majority vote, since it involved state governmental expense.

It was moved by Byrne, duly seconded, that the bill referred to by Dougherty be introduced without previous notice.

A roll call, to be entered in the Journal, was requested by the required number, and motion by Byrne, carried by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Banka, Beazley, Blenkner, Byrne, Carlson, Castles, Cummings, Davey, Dillavou, Dougherty, Esp, Forbregd, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McMichael, Martin of Madison, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Simpson, Stevens, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 64.

Noes: Beck, Bjerneby, Cannon, Clifford, Dahlquist, Gunderson, Hess, McGreevey, McKenna, Martin of Fergus, Mernin, Miller, Murray, Nelson, Parker of Cascade, Rice, Scott, Spiegel, Tonn, Vanek. Total 20.

Absent and not voting: Ballard, Burke, Busch, Cole, Curran, Eggenberger, Fewkes, Flook, Freshman, Hammond, Holding, Lynch, McDaniel, Morrow, Petersen, Watson, Welcome, White. Total 18.

Whereupon House Bill No. 394 was introduced by the Committee on Appropriations, entitled: A bill for an act entitled: "An act to appropriate money for fire insurance premiums on state buildings and contents out of any money in the General Fund or any special funds enumerated herein, authorizing and directing the state insurance commission with the assistance of the state fire marshal to make annual survey of all state buildings and to report to the state board of examiners; state board of examiners shall classify all state buildings and contents; reduce insured values on fire resistive buildings and contents not subject to heavy losses; eliminate insurance on Montana state fair buildings and contents and on all worthless structures; state board of examiners empowered to make an appraisal of

all state buildings and contents in order to determine values for fire insurance, and to take advantage of the pro rata term budget premium plan of insurance; distribution of insurance among licensed companies in proportion to taxes paid to the State of Montana as evidenced by the records of the state auditor and insurance commissioner."

Read first and second time at length and referred to the Committee on Appropriations.

THIRD READING

House Bill No. 380, having been read three several times at length, history and title agreed to, passed by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Aronson, Banka, Beck, Bjerneby, Blenkner, Busch, Byrne, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 78.

Absent and not voting: Anson, Antrim, Ballard, Beazley, Burke, Cannon, Clifford, Dillavou, Flook, Friedl, Hammond, Holding, Lynch, McGreevey, Mernin, Morrow, Murray, O'Connor, Parker of Cascade, Phelan, Vanek, Watson, Welcome, White. Total 24.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 207, providing for an Advisory Committee for the study of finances, business affairs and policies of the State of Montana.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the request of the House for the return of S. B. No. 106 was this day, on motion, granted, and bill is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return H. B. No. 131 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker signed the following in Open Session: Senate Bills Nos. 61, 3, 4, 65, 64, 63, 49, 55, 57, 6, 36, 62, 51, 70 and 15.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 131 for further consideration be granted.

It was moved by Byrne, duly seconded and carried, that House Bill No. 131 be recalled from the Engrossing Committee.

It was moved by Toole, duly seconded and carried, that Senate Bill No. 14 be taken from Third reading and placed on General Orders.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Lehrkind in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendment to House Joint Memorial No. 12 be concurred in;

That Senate Bills Nos. 177, 99, 186, 130, 175, 173, and 153 be concurred in;

That consideration of Senate Bill No. 77 be passed temporarily;

That Senate Bill No. 178 be concurred in;

That Senate Bill No. 196 be amended as follows:

Amend by striking all of Section 1 and renumbering the subsequent sections accordingly; and that the same be concurred in, as amended;

That consideration of Senate Bill No. 58 be passed temporarily;

That Senate Bill No. 14 be not concurred in;

That Senate Bill No. 77 be concurred in;

That Senate Bill No. 58 be concurred in.

LEHRKIND, Chairman.

It was moved by Lehrkind, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Cannon, duly seconded, that Senate Bill No. 14 be segregated from the report of the Committee of the Whole.

A roll call, to be entered in the Journal, was requested by the required number and the motion to segregate Senate Bill No. 14 lost by the following vote:

Ayes: Allen, Anderson, Bjerneby, Cannon, Dillavou, Dougherty, Eggenberger, Fewkes, Gunderson, Hageman, Harken, Horrigan, McKenna, Scott, Simpson, Spiegel, Tonn, Tyler, Vanek. Total 19.

Noes: Ahern, Anson, Aronson, Banka, Beazley, Beck, Blenkner, Byrne, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Davey, Esp, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Harrison, Hazelbaker, Hess, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Loughran, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, O'Brien, O'Connor, Oliver, Parker of Wibaux, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scofield, Stevens, Toole, Toomey, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 60.

Absent and not voting: Antrim, Armstrong, Ballard, Burke, Busch, Cole, Flook, Hammond, Holding, James, Lehrkind, Lippard, Lowe, Lynch, Morrow, Newell, Parker of Flathead, Parker of Cascade, Potter, Rice, Watson, Welcome, White. Total 23.

Whereupon the report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 10:25 A. M.: House Bills Nos. 28, 98, 115, 122, 206, 216, 283, 290 and 291 and House Joint Memorial No. 6.

COLE, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Dairying, having had under consideration Senate Bill No. 131, respectfully report as follows: That Senate Bill No. 131 be concurred in.

McKENNA, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 393, respectfully report as follows: That House Bill No. 393 be amended as follows:

By striking in line 9, after the words "money in the", the words "State Treasury", and inserting in lieu thereof, the words "University Millage Fund", and that as amended, said House Bill No. 393 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Bill No. 394, respectfully report as follows: That House Bill No. 394 do pass.

DOUGHERTY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President of the Senate this day named the following Senators to act as a conference committee, with a like committee from the House, for the consideration of Senate amendments to H. B. No. 187: Ecton, Mundy, Plank.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker signed Substitute Senate Bill No. 85 in Open Session.

THIRD READING

Senate Amendments to House Joint Memorial No. 12 were concurred in by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Armstrong, Beck, Blenkner, Busch, Byrne, Clifford, Cole, Dahlquist, Davey, Dillavou, Dougherty, Eggen-

berger, Esp, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Horrigan, James, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Simpson, Spiegel, Stevens, Tonn, Toomey, Vanek, Wilson, Winters, Zuck, Mr. Speaker. Total 70.

Absent and not voting: Allen, Aronson, Ballard, Banka, Beazley, Bjerneby, Burke, Cannon, Carlson, Castles, Cummings, Curran, Fewkes, Flook, Forbregd, Freshman, Friedl, Hammond, Holding, Hunter, Kirscher, Lippard, Lynch, Martin of Madison, Mernin, Scott, Toole, Tyler, Watson, Welcome, White, Williams. Total 32.

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 53 was concurred in by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Armstrong, Aronson, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Gebhardt, Green, Gunderson, Hageman, Harken, Hazelbaker, Horrigan, Hunter, James, Kemmis, LaBonte, Laubach, Lowe, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Rice, Roehl, Spiegel, Stevens, Tonn, Tyler, Vanek, Williams, Wilson, Zuck, Mr. Speaker. Total 65.

Noes: Esp, Goodwin, Loughran, McDaniel, O'Brien, Potter, Saylor, Scofield, Simpson, Toomey, Winters. Total 11.

Absent and not voting: Allen, Ballard, Banka, Beazley, Burke, Carlson, Cummings, Fewkes, Flook, Forbregd, Freshman, Friedl, Hammond, Harrison, Holding, Hess, Kirscher, Lehrkind, Lippard, Lynch, Martin of Madison, Scott, Toole, Watson, Welcome, White. Total 26.

Senate Bill No. 105 was concurred in by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Aronson, Beck, Bjerneby, Blenkner, Busch, Byrne, Castles, Clifford, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Gebhardt, Goodwin, Green, Gunderson, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 75.

Absent and not voting: Allen, Armstrong, Ballard, Banka, Beazley, Burke, Cannon, Carlson, Cole, Cummings, Fewkes, Flook, Forbregd, Freshman, Friedl, Hageman, Hammond, Holding, James, Kirscher, Lippard, Lynch, Martin of Madison, Toole, Watson, Welcome, White. Total 27.

Senate Bill No. 98 was concurred in by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Aronson, Banka, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Castles, Clifford, Cole, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Freshman, Gebhardt, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Mc-

Greevey, McKenna, Martin of Fergus, Mernin, Miller, Murray, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, Williams, Wilson, Zuck, Mr. Speaker. Total 72.

Noes: Goodwin, Horrigan, Lippard, McDaniel. Total 4.

Absent and not voting: Allen, Armstrong, Ballard, Beazley, Burke, Carlson, Cummings, Curran, Fewkes, Flook, Forbregd, Friedl, Hammond, Holding, James, Lynch, McMichael, Martin of Madison, Morrow, Nash, Simpson, Toole, Watson, Welcome, White, Winters. Total 26.

Senate Bill No. 160 was concurred in by the following vote:

Ayes: Ahern, Anderson, Antrim, Armstrong, Aronson, Banka, Beck, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Harken, Harrison, Hazelbaker, Horrigan, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McMichael, Martin of Madison, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Stevens, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 67.

Noes: Gunderson, Hess, Kemmis, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Parker of Cascade, Scofield, Simpson, Spiegel, Tonn, Mr. Speaker. Total 14.

Absent and not voting: Allen, Anson, Ballard, Beazley, Burke, Cannon, Clifford, Cole, Cummings, Fewkes, Flook, Forbregd, Green, Hammond, Holding, James, Lynch, Toole, Watson, Welcome, White. Total 21.

Senate Bill No. 192 was concurred in by the following vote:

Ayes: Ahern, Anderson, Anson, Armstrong, Aronson, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Friedl, Gebhardt, Goodwin, Gunderson, Harken, Harrison, Hess, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scott, Spiegel, Toomey, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 67.

Noes: Eggenberger, Esp, Green, Hageman, Horrigan, Kemmis, Miller, Oliver, Petersen, Scofield, Simpson, Tonn, Tyler. Total 13.

Absent and not voting: Allen, Antrim, Ballard, Burke, Cannon, Cummings, Fewkes, Flook, Forbregd, Freshman, Hammond, Holding, James, Lynch, O'Connor, Parker of Flathead, Stevens, Toole, Watson, Welcome, White. Total 21.

Passed: Hazelbaker. Total 1.

Senate Bill No. 90 was concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Carlson, Castles, Clifford, Cole, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Freshman, Friedl, Goodwin, Green, Gunderson, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed,

Rice, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 83.

Absent and not voting: Ahern, Antrim, Ballard, Byrne, Cummings, Fewkes, Flook, Forbregd, Gebhardt, Hageman, Hammond, Holding, James, Lippard, Lynch, Saylor, Watson, Welcome, White. Total 19.

Senate Bill No. 76 was concurred in by the following vote:

Ayes: Ahern, Anderson, Anson, Armstrong, Aronson, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 80.

Noes: Beazley, Simpson. Total 2.

Absent and not voting: Allen, Antrim, Ballard, Byrne, Cannon, Fewkes, Flook, Forbregd, Friedl, Hammond, Holding, Lynch, Martin of Madison, O'Connor, Parker of Flathead, Petersen, Potter, Watson, Welcome, White. Total 20.

Senate Bill No. 177 was concurred in by the following vote:

Ayes: Ahern, Anderson, Anson, Armstrong, Banka, Beck, Bjorneby, Burke, Busch, Carlson, Castles, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Freshman, Goodwin, Green, Gunderson, Hageman, Harken, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 75.

Absent and not voting: Allen, Antrim, Aronson, Ballard, Beazley, Byrne, Cannon, Clifford, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Hammond, Harrison, Holding, Lehrkind, Lynch, McMichael, Mernin, Parker of Flathead, Rasmussen, Scofield, Watson, Welcome, White. Total 27.

Senate Bill No. 186 was concurred in by the following vote:

Ayes: Ahern, Anderson, Anson, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Cole, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Freshman, Gebhardt, Green, Gunderson, Hageman, Harrison, Hess, Hunter, James, Kemmis, Lehrkind, Lippard, Loughran, Lowe, McGreevey, McKenna, Mernin, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Cascade, Rasmussen, Reed, Rice, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Williams, Wilson, Zuck. Total 55.

Noes: Allen, Armstrong, Aronson, Burke, Carlson, Castles, Cummings, Curran, Goodwin, Harken, Hazelbaker, Horrigan, LaBonte, Laubach, McDaniel, McMichael, Martin of Madison, Martin of Fergus, Miller, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Roehl, Vanek, Winters, Mr. Speaker. Total 28.

Absent and not voting: Antrim, Ballard, Byrne, Cannon, Clifford, Dougherty, Fewkes, Flook, Forbregd, Friedl, Hammond, Holding, Kirscher, Lynch, Saylor, Tyler, Watson, Welcome, White. Total 19.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Education, having had under consideration Senate Bill No. 184, respectfully report as follows: That Senate Bill No. 184 be concurred in.

JAMES, Chairman.

Report adopted.

Mr. Speaker:

We, your Majority Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 25, respectfully report as follows: That Senate Bill No. 25 be not concurred in.

LIPPARD,
O'CONNOR.
CUMMINGS,
CURRAN,
O'BRIEN
GEBHARDT.
HARKEN,
MARTIN of Madison,
BEAZLEY.

It was moved by Lippard, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by O'Connor, duly seconded and carried, that the motion by Lippard to adopt the majority report of the Committee on Public Morals, Charities and Reforms on Senate Bill No. 25 be laid on the table.

Mr. Speaker:

We, your Majority Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 21, respectfully report as follows: That Senate Bill No. 21 be not concurred in.

LIPPARD,
O'CONNOR,
CUMMINGS,
CURRAN,
O'BRIEN,
GEBHARDT,
HARKEN,
MARTIN of Madison,
BEAZLEY.

Mr. Speaker:

We, your Minority Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 21, respectfully report as follows: That Senate Bill No. 21 be concurred in.

PARKER of Flathead,
WINTERS,
OLIVER,
DAHLQUIST,
ZUCK,
VANEK.

It was moved by Lippard, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by O'Connor, duly seconded, that the motion by Lippard to adopt the majority report of the Committee on Public Morals, Charities and Reforms on Senate Bill No. 21 be laid on the table.

A roll call, to be entered in the Journal, was requested by the required number and motion to table majority report on Senate Bill No. 21 lost by the following vote:

Ayes: Beazley, Burke, Cannon, Clifford, Cummings, Curran, Dougherty, Freshman, Gebhardt, Harken, Lehrkind, Lippard, Loughran, McGreevey, Martin of Madison, Miller, Murray, O'Brien, O'Connor, Phelan, Saylor, Spiegel, Toomey. Total 23.

Noes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Banka, Beck, Bjorneby, Busch, Byrne, Carlson, Castles, Cole, Dahlquist, Dillavou, Eggenberger, Esp, Goodwin, Green, Gunderson, Hageman, Harrison, Hazelbaker, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lowe, McKenna, McMichael, Martin of Fergus, Mernin, Morrow, Nash, Nelson, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 61.

Absent and not voting: Ahern, Ballard, Blenkner, Davey, Fewkes, Flook, Forbregd, Friedl, Hammond, Holding, Horrigan, Hunter, Lynch, McDaniel, Watson, Welcome, White. Total 17.

Passed: Newell. Total 1.

On substitute motion, it was moved by Parker of Flathead, duly seconded, that the report of the minority committee on Senate Bill No. 21 be adopted. Motion lost.

Whereupon, motion by Lippard to adopt the majority report on Senate Bill No. 21 was put and lost.

It was moved by Parker of Flathead, duly seconded and carried, that the report of the minority of the Committee on Public Morals, Charities and Reforms on Senate Bill No. 21 be adopted.

MOTIONS AND RESOLUTIONS

It was moved by James, duly seconded and carried, that the House request the Honorable Senate to return to the House for further consideration, Substitute House Bill No. 144.

It was moved by Parker of Flathead, duly seconded, that Senate Bill No. 25 be taken from the table.

A Call of the House was demanded by the required number. After the Clerk called the roll, on motion, duly seconded and carried, Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number and motion to take from the table Senate Bill No. 25 carried by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Banka, Beck, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Cole, Dahlquist, Dillavou, Eggenberger, Esp, Fewkes, Forbregd, Green, Gunderson, Hageman, Harrison, Hazelbaker, Hess, Horrigan, James, Kemmis, LaBonte, Laubach, Lowe, McDaniel, McKenna, McMichael, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Potter, Reed, Roehl, Scott, Simpson, Stevens, Tonn, Vanek, Wilson, Winters, Zuck. Total 57.

Noes: Ahern, Beazley, Burke, Cannon, Clifford, Cummings, Curran, Dougherty, Freshman, Friedl, Gebhardt, Goodwin, Harken, Hunter, Lehrkind, Lippard, Loughran, McGreevey, Martin of Madison, Mernin, Murray, O'Brien, O'Connor, Parker of Wibaux, Phelan, Rasmussen, Saylor, Scofield, Spiegel, Toole, Toomey, Tyler, Williams, Mr. Speaker. Total 34.

Absent and not voting: Ballard, Davey, Flook, Hammond, Holding, Kirscher, Lynch, Rice, Watson, Welcome, White. Total 11.

Parker of Flathead moved the adoption of the following report:

Mr. Speaker:

We, your Minority Committee on Public Morals, Charities, and Reforms, having had under consideration Senate Bill No. 25, respectfully report as follows: That Senate Bill No. 25 be concurred in.

PARKER of Flathead,
WINTERS,
OLIVER,
DAHLQUIST,
ZUCK,
VANEK.

Motion to adopt the report of the minority committee on Senate Bill No. 25 was duly seconded and carried.

It was moved by O'Connor, duly seconded and carried, that Senate Bill No. 142 be taken from the table.

It was moved by O'Connor, duly seconded and carried, that the House request the Senate to return Senate Bill No. 142 for further consideration.

It was moved by O'Connor, duly seconded and carried, that Senate Bill No. 142 be placed on General Orders.

It was moved by Kirscher, duly seconded and carried, that Senate Bill No. 106 be placed on General Orders.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Lippard in the Chair. Committee arose, with leave to sit again.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Joint Memorial No. 10 be concurred in;

That Senate Joint Memorial No. 11 be concurred in;

That Senate Joint Memorials Nos. 12 and 13 be not concurred in;

That Senate Joint Memorials Nos. 14, 15 and 16 be concurred in;

That House Bill No. 392 do pass;

That House Bills Nos. 391 and 390 do pass;

That Senate Bill No. 101, be amended as follows:

Amend the title by striking out in line four thereof the quotation marks and the period and inserting in lieu thereof a comma and the following: "AND TO AMEND SECTION II, OF PART VI OF CHAPTER 82, LAWS OF THE TWENTY-FIFTH LEGISLATIVE ASSEMBLY OF 1937, RELATIVE TO THE SERVICES FOR CRIPPLED CHILDREN AND CHILD WELFARE SERVICES AND DEFINING SERVICES FOR CRIPPLED CHILDREN."

Amend by inserting a new section after Section 4, as follows: "Section 5. Section II, Part VI of Chapter 82, Laws of the Twenty-fifth Legislative Assembly, 1937, shall be and the same is hereby amended to read as follows:

Definitions: As used in this Part.

(a) Services for Crippled Children means: To extend, and improve services (especially in rural areas and in areas suffering from severe economic distress) for locating crippled children, and for providing medical, surgical, corrective and other services and care, and facilities for diagnosis, hospitalization and after care for children who are crippled or who are suffering from conditions which lead to crippling, and children who are afflicted with or suffering from rheumatic fever, or heart diseases, and who are totally incapacitated for education or for remunerative occupation and cooperation with medical, health and nursing agencies providing for vocational rehabilitation of physically handicapped children.

(b) Child welfare services mean: The establishing, extending and strengthening of child welfare services (especially in predominantly rural areas) for the protection and care of homeless, dependent and neglected children, and children in danger of becoming delinquent.

(c) Child welfare worker means: Staff personnel who have had education and training in the field of child welfare and who are qualified and accepted as such in conformity with the standards established by the state department of public welfare."

And renumber the subsequent section accordingly;
and that the same be concurred in, as amended.

LIPPARD, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Lippard in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bill No. 137 be concurred in;

That consideration of Senate Bills Nos. 145 and 195 be passed for the day;

That Substitute Senate Bill No. 67 be concurred in;

That Senate Bills Nos. 100 and 127 be concurred in;

That Substitute Senate Bill No. 189 be concurred in;

That Senate Bill No. 119 be concurred in.

LIPPARD, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 176, 249, 319, 323, 314 and 226, Substitute House Bill No. 363, and House Joint Memorials Nos. 8, 9, 10, and 11.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 176 introduced by me and find the same to be correct.

ANSON.

I have examined House Bill No. 249 introduced by me and find the same to be correct.

BURKE.

I have examined House Bill No. 319 introduced by me and find the same to be correct.

LaBONTE.

I have examined House Bill No. 323 introduced by me and find the same to be correct.

LaBONTE.

I have examined House Bill No. 314 introduced by me and find the same to be correct.

RICE.

I have examined House Bill No. 226 introduced by me and find the same to be correct.

TOOMEY.

I have examined Substitute House Bill No. 363 introduced by me and find the same to be correct.

KIRSCHER.

I have examined House Joint Memorial No. 8 introduced by me and find the same to be correct.

CARLSON.

I have examined House Joint Memorial No. 9 introduced by me and find the same to be correct.

CLIFFORD.

I have examined House Joint Memorial No. 10 introduced by me and find the same to be correct.

TOOLE.

I have examined House Joint Memorial No. 11 introduced by me and find the same to be correct.

SAYLOR.

The Speaker signed the following in Open Session: House Bills Nos. 176, 249, 323, 319, 314, 226, Substitute House Bill No. 363, and House Joint Memorials Nos. 8, 9, 10 and 11.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the request of the House for the return of Sub. H. B. No. 144 was this day, on motion, granted, and bill is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return H. B. No. 229 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Morrow, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 229 for further consideration, be granted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Friday, February 28th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-FOURTH DAY

House of Representatives,
Helena, Montana,
February 28, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following, who were excused: Carlson, Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Fifty-third Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 393, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 121, respectfully report as follows: That Senate Bill No. 121 be amended as follows:

Amend the title by inserting in line 2 thereof, after the comma following the numbers 1935, the following words and figures: "and amending Section 1741.8 of the Revised Codes of Montana of 1935, as amended by Section 6 of Chapter 182 of the Laws of 1937;"

Amend Section 1, in line 25 after the words "period of" by striking the word and figure "ninety (90)" and inserting in lieu thereof the word and figure "thirty (30)" and in line 27 after the words "period of" by striking the word and figure "ninety (90)" and inserting in lieu thereof the word and figure "thirty (30)".

Amend Section 2, by striking the whole thereof and inserting a new section as follows: "Section 2. That Section 1741.8 of the Revised Codes of Montana of 1935, as amended by Section 6, of Chapter 182 of the Laws of 1937, be and the same is hereby amended to read as follows: 'Section

1741.8. The violation of any of the provisions of the above mentioned sections, or other provisions of the state motor vehicle laws, other than driving in a reckless manner or while intoxicated, shall be punishable as follows:

"For the first offense the offender, in the discretion of the patrolman, may be issued a 'warning' card or be punished, on conviction, by a fine of not less than two dollars (\$2.00) or more than five dollars (\$5.00).

"For the second offense of the above mentioned provisions, the penalty shall not be less than five dollars (\$5.00) or more than ten dollars (\$10.00).

"For the third or subsequent offense, the penalty shall be not less than twenty-five dollars (\$25.00) or more than one hundred dollars (\$100.00).

"On failure of payment of fines, the offender, in cases of misdemeanor, shall be imprisoned in the county jail in the county in which the offense has been committed, and said imprisonment shall be computed upon the basis of a two dollar (\$2.00) fine for each day's incarceration.

"For the offense of driving in a reckless manner, the fine for the first offense shall not be less than ten dollars (\$10.00) or more than three hundred dollars (\$300.00) and/or imprisonment in the county jail for a term of not less than five (5) days or more than thirty (30) days.

"For the second offense, the fine shall be not less than three hundred dollars (\$300.00) or more than five hundred dollars (\$500.00) and/or imprisonment in the county jail for a term of not less than thirty (30) days or more than six (6) months.

"For the third offense, the fine shall not be less than five hundred dollars (\$500.00) or more than one thousand dollars (\$1,000.00) and/or imprisonment in the state prison for a term of not less than six (6) months or more than three (3) years.

"In addition to the above mentioned penalties, upon conviction of a motor vehicle driver of any of the above mentioned offenses, it shall be at the discretion of the highway patrol board, justice of the peace or district court judge to order the offender to refrain from operating a motor vehicle for a stated period of time. The penalty upon conviction for driving a motor vehicle after such restraining order has been issued shall be from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00) and/or imprisonment of ten (10) to sixty (60) days in jail.

"In the event of such order to refrain from driving, an appeal may be had to any court of competent jurisdiction for a review of the order. For the purpose of determining second or subsequent offense under the highway patrol law, the forfeiture of bail is equivalent to conviction.

"Upon conviction, the court costs, or any part thereof, may also be assessed against the defendant in the discretion of the court.

"It is not the intent of this act to in any manner provide immunity from civil prosecution or action for damages."

And add a new Section 3 to read as follows: "Section 3. All acts and parts of acts in conflict herewith are hereby repealed."

And as amended be concurred in.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 125, respectfully report as follows: That Senate Bill No. 125 be concurred in.

McMICHAEL, Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 124, respectfully report as follows: That Senate Bill No. 124 be amended as follows:

Amend Section 1 of the printed bill in line 64 by adding a new sentence after the period following the word "condition" as follows: "That said Commission shall have the power to set the opening dates of fishing season; provided, however, that they shall open the season in the several localities on a Sunday."

And as so amended be concurred in.

CANNON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 126, respectfully report as follows: That Senate Bill No. 126 be concurred in.

McMICHAEL, Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 111, respectfully report as follows: That Senate Bill No. 111 be concurred in.

BALLARD, Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 112, respectfully report as follows: That Senate Bill No. 112 be amended by striking out all of Section 3, and as so amended be concurred in.

BALLARD, Acting Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following bills were this day recommended for non-concurrence in the Senate, and bills are herewith returned to the House:

Sub. H. B. No. 1, by Cummings.

H. B. No. 7, by Fewkes.

H. B. No. 247, by McGreevey, et al.

H. B. No. 305, by Committee on Judiciary.

H. B. No. 308, by McKenna.

I am directed by the Senate to inform your Honorable Body that the Senate this day took no action on H. B. No. 131, and the bill was therefore, on motion, ordered returned to the House, and is herewith returned.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House.

H. B. No. 102, by Highways and Highway Transp.

H. B. No. 127, by Banks and Banking Committee.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, and bills are herewith transmitted to the House for concurrence in the Senate amendments:

H. B. No. 112, by Clifford, Murray and Stevens.

H. B. No. 183, by Armstrong, et al.

H. B. No. 235, by Committee on Public Safety.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by James, duly seconded and carried, that Substitute House Bill No. 144, be re-referred to the Committee on Education.

It was moved by Dougherty, duly seconded and carried, that the Honorable Senate return to the House, House Bill No. 174 for correction.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Nash in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bill No. 112 be concurred in;

That Senate Amendments to House Bill No. 235 be not concurred in and that a Conference Committee be appointed by the House and a like committee be requested from the Senate;

That Senate Amendments to House Bill No. 183 be concurred in;

That House Bill No. 393 do pass.

NASH, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

The following House resolution was read:

HOUSE RESOLUTION NO. ONE INTRODUCED BY O'CONNOR

A Resolution entitled: "A Resolution to provide for the appointment of a House Committee to conduct an investigation into alleged violations of state gambling laws in the State of Montana, and granting to the Committee certain powers."

WHEREAS, it is alleged that violation of the state gambling laws in the State of Montana are a matter of common knowledge; and

WHEREAS, it is alleged that such open and notorious violations are being tolerated by the enforcement officers of the cities and counties of this State; and

WHEREAS, said unlawful conduct has brought, and is bringing the State of Montana into disrepute and has directed unfavorable publicity and notoriety to the entire State;

BE IT RESOLVED by the House of Representatives of the Twenty-seventh Legislative Assembly that a committee of three members of this House be appointed by the Speaker of the House, to make and conduct such investigation as it, or said committee, may deem advisable within the purview hereof, for the determination of the true facts relative to the administration of justice in the State of Montana, with particular respect to the gambling laws hereinbefore referred to;

BE IT FURTHER RESOLVED that said committee be authorized and empowered to employ the Sergeant-at-Arms and the Law Clerk of the House to assist said committee in the determination of the true facts existing as to gambling in the State of Montana;

BE IT FURTHER RESOLVED that said committee be authorized and empowered to require the attendance of any and all witnesses necessary in the furtherance of said investigation, and said committee is authorized and empowered, through its Chairman, to issue subpoenas to require the attendance of any person to testify under oath, including county attorneys and sheriffs of the State and all other State, County or City officers or employees in the State and said committee is further authorized and empowered to require the Sheriff of any county in the State of Montana to serve subpoenas issued by it;

BE IT FURTHER RESOLVED that said committee be empowered and authorized to inspect any and all records in the State of Montana whether they be state records, county records or city records and said committee shall have the power to request and obtain, and any officer in the State of Montana is hereby directed to furnish said committee with copies of any and all documents or records that are under the supervision or control of such officer, whether he be a state officer, a county officer or a city officer.

BE IT FURTHER RESOLVED that said committee direct particular attention, in addition to the powers hereinbefore granted it, to determine:

First, whether or not said establishments hereinbefore referred to, are now, or have been, openly violating and flouting the law;

Second, if so, what officer or officers of the State of Montana, or any county therein, are responsible therefor, or tolerant thereof;

BE IT FURTHER RESOLVED that said committee be authorized and empowered and directed to institute proper proceedings either by its own action or through existing officer of the State or County for the removal of any officer or officers of the State of Montana or any county, who are or have been responsible for or have condoned and permitted violations of the gambling laws of the State of Montana.

BE IT FURTHER RESOLVED that said committee of three members, appointed by the Speaker of the House, shall continue its investigation from and after the adjournment of the Twenty-seventh Legislative Assembly and shall report the conditions existing or that had been existing and the action taken by said committee to remedy and correct existing conditions to the House of Representatives at the Session of the Legislature in 1943.

BE IT FURTHER RESOLVED that all items of expense deemed proper and necessary by said committee for incidental expenses or fees or mileage necessarily incurred by said committee shall be paid by warrants of the State Auditor upon written order by the chairman of the committee, drawn against any moneys appropriated by the Twenty-seventh Legislative Assembly for the payment of incidental expenses, officers and attaches or per diem to the members of the Twenty-seventh Legislative Assembly.

It was moved by O'Connor, duly seconded, that House Resolution No. 1 be adopted.

On substitute motion, it was moved by Toomey, duly seconded and carried, that House Resolution No. 1 be referred to the Committee on Appropriations.

The Speaker appointed the following conference committee to act with a like committee from the Senate on Senate Amendments to House Bill No. 235: O'Brien, Carlson and Lippard.

THIRD READING

The following Senate Amendments to House Bills were concurred in;

Senate Amendments to House Bill No. 112 were concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Busch, Byrne, Castles, Clifford, Cole, Cummings, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 77.

Absent and not voting: Ahern, Beazley, Burke, Cannon, Carlson, Curran, Dahlquist, Flook, Hammond, Holding, Hunter, James, Lehrkind, Lippard, Lynch, Miller, Morrow, Murray, Phelan, Potter, Tonn, Toole, Watson, Welcome, Horrigan. Total 25.

Senate Amendments to House Bill No. 183 were concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Castles, Cummings, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hess, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nelson, Newell, O'Brien, O'Connor, Petersen, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, White, Williams, Wilson, Zuck, Mr. Speaker. Total 68.

Noes: Saylor. Total 1.

Absent and not voting: Ahern, Antrim, Burke, Byrne, Cannon, Carlson, Clifford, Cole, Curran, Dahlquist, Esp, Flook, Gunderson, Hammond, Holding, Horrigan, Hunter, James, Lehrkind, Lynch, Murray, Nash, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Tyler, Vanek, Watson, Welcome, Winters. Total 33.

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 58 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Castles, Cummings,

Dahlquist, Davey, Dougherty, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 74.

Absent and not voting: Antrim, Burke, Byrne, Cannon, Clifford, Cole, Curran, Dillavou, Eggenberger, Esp, Flook, Friedl, Hammond, Holding, Horrigan, Hunter, James, Lehrkind, Lippard, Lynch, Murray, Parker of Flathead, Phelan, Potter, Tyler, Watson, Welcome, Carlson. Total 28.

Substitute Senate Bill No. 67 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Castles, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck. Total 72.

Noes: Mr. Speaker. Total 1.

Absent and not voting: Anson, Antrim, Burke, Byrne, Cannon, Carlson, Clifford, Cole, Curran, Eggenberger, Esp, Flook, Hammond, Holding, Horrigan, Hunter, James, Lehrkind, Lynch, McGreevey, Murray, Nash, O'Connor, Parker of Flathead, Parker of Cascade, Phelan, Tyler, Watson, Welcome. Total 29.

Senate Bill No. 77 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Castles, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Freshman, Friedl, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Kemmis, Kirscher, LaBonte, Laubach, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Vanek, White, Williams, Wilson, Winters. Total 68.

Absent and not voting: Anson, Antrim, Blenkner, Burke, Byrne, Cannon, Carlson, Clifford, Cole, Curran, Eggenberger, Esp, Flook, Forbregd, Hammond, Holding, Horrigan, Hunter, James, Lehrkind, Lippard, Loughran, Lynch, Murray, O'Connor, Parker of Flathead, Phelan, Toomey, Tyler, Watson, Welcome, Zuck, Gebhardt, Mr. Speaker. Total 34.

Substitute Senate Bill No. 78 was concurred in by the following vote:

Ayes: Ahern, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Castles, Cummings, Dahlquist, Davey, Dillavou, Eggenberger, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Kemmis, Laubach, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Potter, Rice, Roehl, Saylor, Scofield,

Scott, Spiegel, Stevens, Toole, Toomey, Vanek, Williams, Wilson, Winters, Mr. Speaker. Total 62.

Noes: Oliver, Simpson, Tonn, White. Total 4.

Absent and not voting: Allen, Anson, Burke, Busch, Byrne, Cannon, Carlson, Clifford, Cole, Curran, Dougherty, Esp, Flook, Hammond, Holding, Horrigan, Hunter, James, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lynch, Martin of Fergus, Morrow, Murray, O'Connor, Parker of Flathead, Phelan, Rasmussen, Reed, Tyler, Watson, Welcome, Zuck. Total 36.

Senate Bill No. 82 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Aronson, Beazley, Beck, Bjorneby, Blenkner, Busch, Castles, Dahlquist, Dillavou, Dougherty, Eggenberger, Fewkes, Forbregd, Freshman, Friedl, Goodwin, Green, Harrison, Hazelbaker, Hess, Kemmis, Laubach, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Gebhardt, Gunderson. Total 61.

Noes: Banka, Davey, Harken, Mr. Speaker. Total 4.

Absent and not voting: Anson, Antrim, Ballard, Burke, Byrne, Cannon, Carlson, Clifford, Cole, Cummings, Curran, Esp, Flook, Hageman, Hammond, Holding, Horrigan, Hunter, James, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lynch, Martin of Madison, Murray, Nash, O'Connor, Parker of Flathead, Phelan, Rice, Saylor, Tyler, Watson, Welcome, Zuck. Total 37.

Senate Bill No. 84 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Banka, Beazley, Beck, Bjorneby, Busch, Castles, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hess, Kirscher, Laubach, Lippard, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 66.

Absent and not voting: Anson, Ballard, Blenkner, Burke, Byrne, Cannon, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Flook, Gunderson, Hammond, Holding, Horrigan, Hunter, James, Kemmis, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McMichael, Morrow, Murray, O'Brien, O'Connor, Reed, Rice, Tyler, Watson, Welcome, Zuck. Total 36.

Senate Bill No. 87 was not concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Banka, Beck, Bjorneby, Friedl, Green, Hageman, Lowe, McKenna, Martin of Madison, Miller, Nelson, Parker of Flathead, Reed, Scofield, Toomey, Tyler. Total 20.

Noes: Ballard, Beazley, Busch, Castles, Clifford, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Gunderson, Harken, Harrison, Hazelbaker, Hess, Kemmis, Kirscher, Laubach, Lehrkind, Lippard, McDaniel, McGreevey, Martin of Fergus, Mernin, Morrow, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rice, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 57.

Absent and not voting: Ahern, Armstrong, Aronson, Blenkner, Burke, Byrne, Cannon, Carlson, Cole, Cummings, Dahlquist, Flook, Hammond, Holding, Horrigan, Hunter, James, LaBonte, Loughran, Lynch, McMichael, Murray, Rasmussen, Watson, Welcome. Total 25.

Senate Bill No. 99 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Castles, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hess, Kemmis, Laubach, Lowe, McDaniel, McKenna, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck. Total 68.

Noes: Busch, Clifford, Lippard, McGreevey, Mernin, Parker of Cascade, Rice, Spiegel, Mr. Speaker. Total 9.

Absent and not voting: Blenkner, Burke, Byrne, Cannon, Carlson, Cole, Cummings, Dahlquist, Flook, Gunderson, Hammond, Holding, Horrigan, Hunter, James, Kirscher, LaBonte, Lehrkind, Loughran, Lynch, McMichael, Murray, O'Connor, Watson, Welcome. Total 25.

Senate Bill No. 100 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Busch, Castles, Cummings, Curran, Dillavou, Eggenberger, Esp, Fewkes, Forbregd, Friedl, Gebhardt, Goodwin, Green, Harken, Harrison, Hazelbaker, Kirscher, LaBonte, Laubach, Lehrkind, Lowe, Martin of Madison, Morrow, O'Brien, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters. Total 52.

Noes: Beck, Cannon, Clifford, Dahlquist, Davey, Dougherty, Gunderson, Hess, Kemmis, McDaniel, McGreevey, Martin of Fergus, Mernin, Miller, Nelson, Newell, Petersen, Phelan, Rice, Simpson, Spiegel, Tonn, Vanek, Mr. Speaker. Total 24.

Absent and not voting: Blenkner, Burke, Byrne, Carlson, Cole, Flook, Freshman, Hageman, Hammond, Holding, Horrigan, Hunter, James, Lippard, Loughran, Lynch, McKenna, McMichael, Murray, Nash, O'Connor, Oliver, Scott, Watson, Welcome, Zuck. Total 26.

Senate Bill No. 119 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Busch, Byrne, Castles, Cummings, Curran, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Rice, Roehl, Saylor, Scofield, Spiegel, Stevens, Tonn, Toole, Vanek, White, Williams, Wilson, Zuck, Mr. Speaker. Total 75.

Noes: Simpson, Tyler. Total 2.

Absent and not voting: Blenkner, Burke, Cannon, Carlson, Clifford, Cole, Dahlquist, Davey, Flook, Freshman, Hammond, Holding, Horrigan, Hunter, James, Loughran, Lynch, McMichael, Murray, Parker of Flathead, Scott, Toomey, Watson, Welcome, Winters. Total 25.

Senate Bill No. 127 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Busch, Castles, Cole, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Forbergd, Friedl, Gebhardt, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lowe, McDaniel, McGreevey, McMichael, Miller, Nash, O'Brien, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Reed, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 62.

Noes: Cannon, Fewkes, Goodwin, Martin of Madison, Martin of Ferguson, Mernin, Morrow, Nelson, Newell, O'Connor, Oliver, Petersen, Rasmussen, Roehl, Simpson, Mr. Speaker. Total 16.

Absent and not voting: Anson, Blenkner, Burke, Byrne, Carlson, Clifford, Dahlquist, Flook, Freshman, Hammond, Holding, Horrigan, Hunter, James, Lippard, Loughran, Lynch, McKenna, Murray, Parker of Flathead, Rice, Watson, Welcome, White. Total 24.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 382 and 391.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Printing, to whom was referred House Bill No. 394, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governors office at 10:40 A. M.: House Bills Nos. 176, 226, 249, 314, 319 and 323, Substitute House Bill No. 363, and House Joint Memorials Nos. 8, 9, 10, and 11.

COLE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that the House request the Honorable Senate to return Senate Bill No. 192 for further consideration.

It was moved by Nash, duly seconded and carried, that the House reconsider its action, in adopting an adverse committee report on Senate Bill No. 191.

It was moved by Mernin, duly seconded, that the House request the Honorable Senate to return Senate Bill No. 14 for further consideration.

On substitute motion, it was moved by Murray, duly seconded, that consideration of the motion by Mernin to recall Senate Bill No. 14 from the Senate be indefinitely postponed.

A roll call, to be entered in the Journal, was requested by the required number, and motion by Murray carried by the following vote:

Ayes: Anderson, Anson, Antrim, Ballard, Beazley, Beck, Blenkner, Burke, Busch, Byrne, Castles, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Harrison, Hazelbaker, Horrigan, Kirscher, Laubach, Loughran, McGreevey, McKenna, Martin of Madison, Miller, Murray, Nelson, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Toole, Toomey, Tyler, Williams, Mr. Speaker. Total 51.

Noes: Allen, Armstrong, Bjerneby, Cannon, Davey, Eggenberger, Fewkes, Forbregd, Hageman, Harken, Hess, Kemmis, LaBonte, Lehrkind, Lippard, Lowe, McDaniel, Martin of Fergus, Mernin, Morrow, Nash, Newell, O'Brien, Parker of Flathead, Scott, Simpson, Spiegel, Tonn, Vanek, White, Wilson, Winters, Zuck. Total 33.

Absent and not voting: Ahern, Aronson, Banka, Carlson, Clifford, Flook, Green, Hammond, Holding, Hunter, James, Lynch, McMichael, Rice, Saylor, Stevens, Watson, Welcome. Total 18.

It was moved by Nash, duly seconded, that the House request the Honorable Senate for the return of Senate Bill No. 191. Motion lost.

Speaker Pro Tem in the Chair.

THIRD READING.

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 391 was passed by the following vote:

Ayes: Ahern, Antrim, Armstrong, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Harken, Harrison, Hess, Horrigan, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Wilson, Zuck. Total 70.

Noes: Anderson, Petersen, Tonn. Total 3.

Absent and not voting: Allen, Anson, Aronson, Beazley, Carlson, Clifford, Cole, Fewkes, Flook, Freshman, Green, Hammond, Hazelbaker, Holding, Hunter, James, Lippard, Lynch, McGreevey, McMichael, Murray, O'Connor, Rice, Saylor, Watson, Welcome, Williams, Winters, Mr. Speaker. Total 29.

House Bill No. 392 was passed by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McKenna, Martin of Madison, Martin

of Fergus, Mernin, Miller, Morrow, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 77.

Absent and not voting: Beazley, Carlson, Clifford, Eggenberger, Fewkes, Flook, Green, Hammond, Holding, Horrigan, Hunter, James, Lippard, Lynch, McGreevey, McMichael, Murray, Nash, O'Connor, Rice, Saylor, Watson, Welcome, White, Mr. Speaker. Total 25.

Senate Bill No. 101 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Harken, Hazelbaker, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, White, Williams, Wilson, Winters, Zuck. Total 83.

Absent and not voting: Carlson, Esp, Fewkes, Flook, Green, Hammond, Harrison, Holding, Hunter, Lehrkind, Lynch, McMichael, O'Connor, Rice, Saylor, Tyler, Watson, Welcome, Mr. Speaker. Total 19.

Senate Bill No. 130 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Castles, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, White, Williams, Wilson, Winters. Total 81.

Noes: Cummings, Curran, Holding, Lowe, Nash. Total 5.

Absent and not voting: Carlson, Clifford, Cole, Fewkes, Green, Hunter, McMichael, Martin of Madison, O'Connor, Rice, Saylor, Vanek, Watson, Welcome, Zuck, Mr. Speaker. Total 16.

Senate Bill No. 137 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Cannon, Castles, Cole, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McKenna, Martin of Fergus, Miller, Morrow, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, White, Williams, Wilson, Winters. Total 80.

Absent and not voting: Busch, Byrne, Carlson, Clifford, Fewkes, Flook, Hunter, Laubach, Lynch, McGreevey, McMichael, Martin of Madison,

Mernin, O'Connor, Rice, Saylor, Vanek, Watson, Welcome, Zuck, Mr. Speaker. Total 21.

Passed: Curran. Total 1.

Senate Bill No. 153, being a Constitutional Amendment, and having been read three several times, history and title agreed to, was concurred in by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions thereof, the bill is set forth in its entirety as follows:

SENATE BILL NO. 153
INTRODUCED BY HAIGHT

A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 11 of Article XI of the Constitution of the State of Montana, relating to the appointment, personnel, powers, duties and terms of office of the State Board of Education."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 11 of Article XI of the Constitution of the State of Montana be amended as hereinafter provided and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held in November, 1942.

Section 2. That Section 11 of Article XI of the Constitution of the State of Montana be and the same is hereby amended to read as follows:

"Section 11. The general control and supervision of the State University and the various other state educational institutions shall be vested in a State Board of Education whose powers, duties and terms of office shall be prescribed and regulated by law. The Board shall consist of seven members who shall be appointed by the Governor, subject to confirmation by the Senate, under regulations and restrictions to be provided by law."

Section 3. That this amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

☐

For the above amendment

☐

Against the above amendment

The elector shall designate his preference by marking an X in the square before the proposition for which he desires to cast his vote.

Section 4. The votes cast for and against the amendment herein proposed shall be counted, canvassed and determined by such officials and in such manner as is provided by law therefor and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the Governor shall so declare by public proclamation and the amendment shall be in full force and effect as a part of the Constitution from and after the date of such proclamation.

Section 5. That this act shall be in full force and effect from and after its passage and approval.

Senate Bill No. 153 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon,

Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lippard, Loughran, Lowe, McDaniel, McKenna, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, White, Williams, Wilson, Winters. Total 80.

Absent and not voting: Byrne, Carlson, Dougherty, Fewkes, Flook, Hunter, Lehrkind, Lynch, McGreevey, McMichael, Martin of Madison, Mernin, O'Brien, O'Connor, Rice, Saylor, Tyler, Vanek, Watson, Welcome, Zuck, Mr. Speaker. Total 22.

Senate Bill No. 173 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Castles, Clifford, Cummings, Dahlquist, Davey, Dillavou, Esp, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McKenna, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Roehl, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, White, Zuck. Total 72.

Noes: Lippard. Total 1.

Absent and not voting: Armstrong, Byrne, Carlson, Cole, Curran, Dougherty, Eggenberger, Fewkes, Flook, Hunter, Kirscher, LaBonte, McGreevey, McMichael, Martin of Madison, Mernin, O'Connor, Parker of Wibaux, Petersen, Rice, Saylor, Scofield, Toole, Watson, Welcome, Williams, Wilson, Winters, Mr. Speaker. Total 29.

Senate Bill No. 175 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McKenna, Martin of Fergus, Miller, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Zuck. Total 76.

Absent and not voting: Armstrong, Byrne, Cannon, Carlson, Fewkes, Gebhardt, Hazelbaker, Horrigan, Hunter, Kirscher, Lippard, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Mernin, Morrow, O'Connor, Rice, Saylor, Watson, Welcome, Williams, Winters, Mr. Speaker. Total 26.

Senate Bill No. 178 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, Laubach, Lehrkind, Lippard, Loughran, Lowe, McGreevey, McKenna, Martin of Fergus, Mernin, Morrow,

Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters, Zuck. Total 80.

Noes: Parker of Cascade. Total 1.

Absent and not voting: Cannon, Carlson, Clifford, Dillavou, Fewkes, Hunter, LaBonte, Lynch, McDaniel, McMichael, Martin of Madison, Miller, O'Connor, Rice, Saylor, Stevens, Tonn, Watson, Welcome, Williams, Mr. Speaker. Total 21.

Substitute Senate Bill No. 189 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjerneby, Blenkner, Busch, Cannon, Castles, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Flook, Forbregd, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Wilson, Winters, Zuck. Total 79.

Noes: Friedl, Gunderson. Total 2.

Absent and not voting: Banka, Burke, Byrne, Carlson, Clifford, Dillavou, Fewkes, Hunter, James, Lippard, Lynch, O'Connor, Oliver, Parker of Flathead, Rice, Saylor, Toomey, Watson, Welcome, Williams, Mr. Speaker. Total 21.

Senate Joint Memorial No. 10 was concurred in by the following vote:

Ayes: Ahern, Anderson, Antrim, Aronson, Ballard, Banka, Bjerneby, Blenkner, Busch, Cannon, Castles, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hammond, Harken, Hazelbaker, Holding, Hess, Horrigan, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Williams, Wilson, Winters. Total 70.

Noes: Harrison, Kemmis. Total 2.

Absent and not voting: Allen, Anson, Armstrong, Beazley, Beck, Burke, Byrne, Carlson, Clifford, Cole, Cummings, Dillavou, Fewkes, Green, Hageman, Hunter, James, Lynch, Murray, O'Connor, Oliver, Parker of Flathead, Rice, Saylor, Toomey, Watson, Welcome, Zuck, Mr. Speaker. Total 29.

Passed: Morrow. Total 1.

Senate Joint Memorial No. 11 was concurred in by the following vote:

Ayes: Ahern, Anderson, Antrim, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Busch, Byrne, Cannon, Castles, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Esp, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen,

Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Vanek, Williams, Wilson, Zuck. Total 72.

Absent and not voting: Allen, Anson, Armstrong, Beazley, Burke, Carlson, Clifford, Cole, Cummings, Dillavou, Fewkes, Harken, Hunter, Kirscher, Lippard, Lynch, Morrow, Murray, O'Connor, Parker of Wibaux, Parker of Flathead, Rice, Saylor, Toomey, Tyler, Watson, Welcome, White, Winters, Mr. Speaker. Total 30.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your Special Committee appointed to investigate the conditions existing at the Montana State Hospital for the Insane at Warm Springs, submit herewith our report as to the conditions at the institution.

The Committee spent one and one-half days and an entire evening in an intensive study and careful observation of the conditions existing at the Montana State Hospital for the Insane. In many cases sub-committees were appointed to inspect different departments in order to investigate as fully as possible the conditions in the limited time allotted. At least a part of the Committee has inspected practically every ward, the hospital and the various buildings connected with the institution, and have observed practically every inmate of the institution. Your Committee even conducted hearings and had testify doctors, nurses, supervisors and guards, as well as inmates. We also inspected the dairy herd, the hogs, the horses, the poultry farm and the agricultural equipment of the institution, in an endeavor to determine the real needs of the institution. At this time we particularly desire to advise the public and especially the relatives of the inmates at this institution of the true facts, but at the same time do not desire to cause any undue alarm.

Your Committee appreciates the gravity of an investigation of this kind because thousands of people throughout the state are vitally interested in the conditions at the state hospital. We also appreciate the problems that confront the personnel of an institution of this kind. We believe that we have satisfied ourselves as to the true conditions and desire to place the same before the public in as fair a manner as possible. Your Committee has confined itself to the conditions only insofar as they may effect the present situation. Furthermore, your Committee has tried to eliminate the personal element in all cases and is making its recommendations purely from the standpoint of protecting the welfare of the inmates and the interests of the citizens of the State of Montana in one of the most important institutions in the state. For his reason names are being eliminated as much as possible in this report, as we feel that the conditions from now on will be far superior to what they have been in the past. Incidentally, there are many rumors in respect to the institution that are unfounded, but on the other hand, there are many conditions of a deplorable nature and we feel that the public should know the real facts.

MANAGEMENT. The success or failure of any enterprise depends almost wholly on the management thereof. We heard many divergent views as to the proper method of conducting the management of the asylum. In institutions of this type two factors always arise. One is the medical or so-called psychopathic angle of treating the patients and the other is the physical end of the plant which has to do with the feeding, clothing, housing and care of the patients. Your Committee heard much testimony relative to the two angles affecting the case as well as to the proper coordination of the same in respect to management as well as to authority. We studied as thoroughly as possible the methods used in other states in this matter of coordination. As near as we can ascertain, the tendency in most states is toward the employment of a superintendent particularly equipped by training and experience in the application of psychopathic treatment. At this point, we might state that at the Montana institution already considerable headway has been made in the treatment of patients by insulin and

metrozol injections. There seems to be considerable dissention as to the relative number of cures or cases of improvement from this method, but it would appear from the general acceptance of these treatments by the leading institutions that there must be a great deal of merit for their use. In addition the Montana institution is endeavoring to give hydro-therapy or hot bath treatments which have a tendency to quiet the violent patients. At the present time most institutions stress on recreational and occupational therapy. In simple language, this means the patients are observed to find their particular interests, and when this is discovered, their minds are employed in this particular line of endeavor in order to provide recreation and occupation fitted to their individual needs.

Montana, in common with nearly every state, is encouraging the training in and study of psychiatry by trained nurses. The Agricultural College at Bozeman, the University of Montana at Missoula, and the major nurses' training hospitals of the state recognize and give college credit to those taking the course offered at the hospital for the insane. We believe this is a commendable practice for through this program graduate nurses are being trained in this particular field and at the same time the hospital has the free use of their services which is certainly conducive to the improvement of the nursing facilities of the institution. In addition, these nurses pay tuition to take the course at the hospital, thus the hospital benefits by the services of these trained nurses, which lessens the overhead cost and also provides a source of revenue for the hospital. For the above reasons the Committee, after a great deal of deliberation, finds that the superintendent of the institution should be fully equipped by training and practice in psychiatry in order that the patients may receive the latest in scientific treatment. We therefor recommend that the Governor or the proper board should make an intensive search throughout the country to find a MAN particularly equipped and trained in psychiatry and also experienced as an executive in institutions of this kind. We find that no other MAN would be suitable for the position. The employment of such an expert may require more money but we find that in the long run it will be a saving in all the departments of the institution to employ such an expert.

We find that the superintendent should be given the power to employ the sub-heads of all departments and have them directly responsible to his management. Each subordinate should be thoroughly capable and experienced to perform the duties delegated to him.

We find that the supervisor of the dairy should be trained in animal husbandry and capable of managing the dairy herd, the hog ranch, the chicken farm, and the horses as well as the truck farming.

We further find that a man thoroughly capable should be in charge of the commissary as there has been much unfavorable comment about this department. We cannot lay too much stress on the importance of the man in charge as there has been much complaint in the past. Within the past two weeks there has been a change in the commissary department and the reports already are that there has been an improvement in the food supplied the patients.

FOOD SITUATION. The Committee made a study of the records in the office of the state hospital as to the cost of feeding the inmates at the institution during the various administrations, during the past twenty years. The cost over a four year period, 1919-23, during the administration of Dr. Scanlon, per meal, per patient, was 7½c. This cost decreased from the biennium 1923-24, to 5½c per meal, per person. For the period 1924-26 the cost was approximately 6½c per person, per meal. During the past 12 years there has been a gradual reduction until the cost per meal, per person at the present time is the abnormally low figure of approximately 3 3/4c per meal, per inmate, per day. This Committee finds this situation absolutely deplorable and unwarranted and that it should be rectified immediately, as this rate is lower than that of any similar institution in the United States. Upon investigation we find this wholly inadequate to

properly care for the mental and physical health of the patients of this institution. From the best information obtainable your Committee believes that the appropriation should be increased and ear-marked For Food for the Patients, in an amount of not less than 7c per meal or approximately 21c per day, per inmate. This would be fairly in line with similar institutions throughout the United States, for a like number of inmates. To provide the additional food necessary for the four months remaining of the biennium 1939-41, a deficiency appropriation of \$17,500.00 will be required.

We further find that the appropriation for each year of the biennium 1941-43 should be increased over the past appropriation by approximately \$60,000.00 per annum.

We believe that the people of Montana should know that the past two legislatures were not wholly to blame for the present condition. On June 30, 1939, \$37,500.00 that had been previously appropriated for the maintenance of this institution was allowed to revert to the General Fund and the inmates of this hospital deprived of the food that should have been purchased with this money. This condition is directly reflected on the present situation as that amount of money would have saved a like expenditure, as this amount of money should have been expended for purchases of staples that should have been used in the past two years.

THE QUALITY OF FOOD. In order to stay within the abnormally low cost per meal, per day, the institution has furnished a sufficient quantity but a very inferior quality of food which is unseasoned and provides a very unbalanced diet for persons physically and mentally ill. On February, 25, 1941, at 6 o'clock, the evening meal, as tasted and inspected by the Committee, consisted of plain macaroni cooked in water, baked potatoes which were cold and soggy, two slices of poor quality bread, cold tea or skim milk, and a small dish of stewed figs. This is a typical evening meal for each day of the year, except that beans, rice or barley are substituted for macaroni. There was no butter or sugar served at this meal. On one occasion the Committee saw two pounds of butter served to 145 patients. There was some testimony to the effect that the ordinary patient is served meat once a week in the form of a stew, and likewise, eggs are served once a week. There is a slight exception, however, in the case of patients who are working outside, who are served some sort of a meat once a day. Testimony disclosed that the only desert served is pie once a week.

DIETITIAN. We find that a person thoroughly experienced and trained as a dietitian should be employed to supervise the preparation of the meals. The dietitian should be capable of planning and serving so that proper amount of vitamins are provided to maintain the health of the patients as is done in similar institutions and a true copy kept of the menus served at all meals. We believe that a proper diet will bring about a recovery of many patients and in this manner reduce the number of inmates confined at the state hospital.

REMOVAL OF PATIENTS. We find that approximately 75 children, ranging in age from 6 to 18 years, now committed to the state hospital at Warm Springs should be transferred to the Training School at Boulder. We also find that from 50 to 60 aged, senile persons are confined to this institution. These persons should be returned to their relatives or to the counties from which they were committed. The senile cases above mentioned are not insane persons and should not be committed to this institution. We also recommend that legislation be enacted to prevent future abuses of this kind.

BUILDINGS TO BE RAZED. We find that one old building should be razed as soon as adequate quarters are available to the patients. This building is beyond repair, infested with vermin to such an extent that the same can not be exterminated. Also, this building is a fire hazard and unfit for human habitation.

We, your Committee, therefore, make the following specific recommendations:

1. The employment of a male superintendent, trained and experienced in psychiatry and business administration, who has had actual experience in the management of an institution of this kind.

2. That the superintendent have the authority to employ all subordinates or heads of departments throughout the institution and that they shall be directly responsible to the superintendent.

3. That the quality of the food be immediately brought up to the standard of our recommendations in this report and that an immediate sufficient appropriation be made for this emergency.

4. The appointment of a competent dietitian so that proper, balanced meals will be served in this institution.

5. The immediate removal of approximately 75 children, ranging in age from 6 to 18 years from this institution to the institution at Boulder. We also recommend the immediate repairing of the two vacant buildings at the Boulder institution for the care of these children, and a proper appropriation for repairing the same.

6. That approximately 60 senile and aged persons be removed from this institution and returned to the counties from which they were committed since approximately this number are not insane persons.

7. We recommend the razing of the old building as soon as suitable quarters can be found for the inmates.

8. We recommend that all new buildings shall be fire-proof and that no basements be excavated due to the sub-soil condition in this locality.

9. We recommend that wherever conditions warrant, relatives of patients should be allowed to visit them privately.

10. We recommend a careful investigation of the practice now going on at this institution of the inter-mingling of patients of opposite sexes at dances being held there, and its effects on the patients of both sexes.

11. We recommend the strict supervision of the Commissary Department.

12. We recommend that more sanitary conditions be brought about in the kitchen and the bakery and that the kitchen be, as soon as possible, removed from its basement location.

13. We hereby recommend that as soon as possible all employees of this institution be placed on an 8-hour a day basis, with the nurses in attendance having the preference in this matter.

14. We recommend the acquisition by lease or purchase of additional farm lands for the use of this institution.

15. We recommend that as fast as possible, the dairy herd be built up until it reaches the standard of production to adequately care for the needs of the inmates of the institution, and we recommend a material decrease of the number of horses on the farm, since we find, upon investigation, that there are twice as many horses as seemingly are required.

16. We recommend the immediate enactment of legislation, including appropriations, necessary to carry out the recommendations of this committee.

17. We recommend and request that this Committee be empowered to serve without pay ad interim to investigate and determine whether or not the recommendations of this committee are being complied with.

This Committee wishes to express its appreciation and gratitude to

Senator Cotter, who, at the request of this Committee, willingly gave his time and effort in order to bring about this investigation.

Mr. Speaker, we move the adoption of this report, and that a certified copy be sent to the Governor, the Attorney General and the Secretary of State, and that 250 copies be mimeographed and placed on the desk of each Senator and Representative in the Twenty-seventh Legislative Assembly.

Respectfully submitted,

LYNCH, Chairman.
HELDING,
HAMMOND,
FLOOK,
CLIFFORD.

It was moved by Lynch, duly seconded and carried, that the report of the Committee appointed to investigate conditions at the Montana State Hospital for the Insane at Warm Springs be adopted.

It was moved by Harrison, duly seconded and carried, that the House give a vote of thanks to the committee appointed to investigate the conditions at the Montana State Hospital for the Insane at Warm Springs for their splendid report and work done in connection thereto.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the request of the House for the return of H. B. No. 174 was this day, on motion, granted, and bill is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that H. B. No. 229, which was recalled from the House, is herewith returned, the motion to segregate it from the Senate Committee of the Whole Report for reconsideration having failed.

I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as a Conference Committee with a like committee from the House, for the consideration of the Senate amendments to H. B. No. 235.

KEELEY,
SIMMONS,
ALVORD.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Dougherty, duly seconded and carried, that House Bill No. 174 be referred to the Committee on Engrossing.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Joint Memorial No. 14 was concurred in by the following vote:

Ayes: Antrim, Armstrong, Banka, Beck, Bjerneby, Blenkner, Busch, Cannon, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dough-

erty, Esp, Fewkes, Flook, Forbregd, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horriggan, Kemmis, LaBonte, Lynch, McDaniel, McGreevey, McKenna, Martin, of Fergus, Miller, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters. Total 64.

Absent and not voting: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Beazley, Burke, Byrne, Carlson, Clifford, Cole, Eggenberger, Freshman, Friedl, Hunter, James, Kirscher, Laubach, Lehrkind, Lippard, Loughran, Lowe, McMichael, Martin of Madison, Mernin, Murray, O'Brien, O'Connor, Petersen, Potter, Rice, Saylor, Watson, Welcome, Zuck, Mr. Speaker. Total 37.

Passed: Morrow. Total 1.

Senate Joint Memorial No. 15 was concurred in by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Aronson, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Cannon, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horriggan, Kemmis, Kirscher, LaBonte, Lehrkind, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters. Total 73.

Absent and not voting: Ahern, Allen, Ballard, Beazley, Byrne, Carlson, Eggenberger, Esp, Flook, Freshman, Hunter, James, Laubach, Lippard, Loughran, Lowe, Lynch, McMichael, Mernin, Morrow, Murray, O'Brien, O'Connor, Rice, Saylor, Watson, Welcome, Zuck, Mr. Speaker. Total 29.

Senate Joint Memorial No. 16 was concurred in by the following vote:

Ayes: Anson, Antrim, Armstrong, Aronson, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Cannon, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Friedl, Gebhardt, Green, Gunderson, Hageman, Harken, Hazelbaker, Holding, Hess, Horriggan, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Simpson, Toole, Toomey, Vanek, Williams, Wilson, Winters, Zuck. Total 65.

Noes: Anderson, Tonn. Total 2.

Absent and not voting: Ahern, Allen, Ballard, Beazley, Byrne, Carlson, Clifford, Cole, Eggenberger, Flook, Freshman, Goodwin, Hammond, Harrison, Hunter, James, Laubach, Loughran, Lowe, Lynch, McMichael, Mernin, Morrow, Murray, O'Connor, Rice, Saylor, Scott, Stevens, Tyler, Watson, Welcome, White, Mr. Speaker. Total 34.

Passed: Spiegel. Total 1.

Senate Bill No. 196 was concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Blenkner, Burke, Busch, Cannon, Castles, Curran, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Harken, Harrison, Hazelbaker, Horriggan, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, Martin of Fergus, Miller, Nash, Nelson,

Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters. Total 57.

Noes: Beck, Bjorneby, Davey, Green, Gunderson, Holding, Hess, Parker of Cascade, Simpson, Spiegel, Tonn, Zuck. Total 12.

Absent and not voting: Ahern, Armstrong, Aronson, Ballard, Banka, Beazley, Byrne, Carlson, Clifford, Cole, Cummings, Dahlquist, Eggenberger, Flook, Hageman, Hammond, Hunter, James, Laubach, Lowe, McMichael, Martin of Madison, Mernin, Morrow, Murray, O'Connor, Petersen, Rice, Saylor, Stevens, Watson, Welcome, Mr. Speaker. Total 33.

CONSIDERATION OF GENERAL ORDERS

It was moved by Spiegel, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Antrim in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 394 do pass;

That Senate Bill No. 131 be concurred in;

That consideration of Senate Bill No. 145 be passed for the day;

That consideration of Senate Bill No. 195 be passed for the day;

That Senate Bill No. 75 be amended as follows:

Amend Senate Bill No. 75 by striking out all of the House Judiciary Committee Amendments, and leaving Sections 6 and 7 in the bill as set up in the original; and that the same be concurred in, as amended.

That Senate Bill No. 176 be concurred in;

That Substitute Senate Bill No. 116 be amended as follows:

Amend Section 8, line 5 by adding at the end thereof the following: "Nothing herein contained shall be construed as repealing Sections 4487.2, 4487.3, 4487.4 and 4487.5 of the Revised Codes of Montana of 1935." And that the same be concurred in, as amended;

That Senate Bill No. 112 be not concurred in;

That Senate Bill No. 184 be concurred in.

ANTRIM, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, granted the request of the House for the return of S. B. No. 142, and bill is herewith returned.

I am directed by the Senate to inform your Honorable Body that the Senate this day refused to concur in the House amendments to S. B. No. 77 and requests the House to appoint a conference committee to act with a like committee from the Senate for the consideration of said amendments. The Senate committee named by the President Pro Tem is: Mahoney, McQuitty and Weinschrott.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 61, 127, 131, 102 and 112 and House Joint Memorial No. 12.

Report adopted.

COLE, Chairman.

I have examined House Bill No. 127 introduced by me and find the same to be correct.

LEHRKIND.

I have examined House Bill No. 102 introduced by me and find the same to be correct.

KIRSCHER.

I have examined House Bill No. 131 introduced by me and find the same to be correct.

TOOMEY.

I have examined House Bill No. 112 introduced by me and find the same to be correct.

STEVENS.

I have examined House Bill No. 61 introduced by me and find the same to be correct.

TOOMEY.

I have examined House Joint Memorial No. 12 introduced by me and find the same to be correct.

BUSCH.

The Speaker Pro Tem signed the following bills in Open Session: House Bills Nos. 61, 127, 131, 102, 112 and House Joint Memorial No. 12.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Saturday, March 1st, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-FIFTH DAY

House of Representatives,
Helena, Montana,
March 1, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Rice, Watson and Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Fifty-fourth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 390, 393.

SAYLOR, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Mines and Mining, having had under consideration Senate Bill No. 162, respectfully report as follows: That Senate Bill No. 162 be concurred in.

GOODWIN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 28—Providing for appointment of a Board of Embalmers and Funeral Directors.

H. B. 98—Authorizing State Depository Board to invest certain moneys.

H. B. 115—Classifying fur dealers' licenses.

H. B. 122—Appropriation for cooperative work in predatory animal control.

H. B. 151—Relating to public health and sanitation; defining mattresses, etc.

H. B. 206—Providing for visual education in public schools.

H. B. 211—Relating to payment of dividends by directors of corporations.

H. B. 283—Relating to use of license plates on motor vehicles, etc.

H. B. 290—To provide for support of the State government for 1941-1942.

H. J. M. No. 6—Requesting legislation giving Montana counties power to tax nationally owned land within their borders.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 106—Introduced by Committee on Appropriations.

H. B. No. 300—Introduced by Committee on Judiciary.

H. B. No. 191—Introduced by Committee on Labor.

Sub. H. B. No. 350—Introduced by Committee on Fish and Game.

Sub. H. B. No. 337—Introduced by Committee on Judiciary.

H. B. No. 59—Introduced by Rice and Morrow.

Sub. H. B. No. 14—Introduced by Committee on State Boards and Offices.

Sub. H. B. No. 139—Introduced by Committee on Judiciary.

H. B. No. 202—Introduced by Committee on Judiciary.

H. B. No. 324—Introduced by Fewkes, Antrim and Winters.

H. B. No. 173—Introduced by Committee on Social Security.

Sub. H. B. No. 351—Introduced by Committee on Fish and Game.

H. B. No. 201—Introduced by Dillavou.

H. B. No. 219—Introduced by Laubach, Ahern, Reed, Hazelbaker, Stevens, Nash.

H. B. No. 217—Introduced by Committee on Social Security.

Senate Substitute for H. B. No. 119—Introduced by Committee on Judiciary.

H. B. No. 179, by Beazley, et al.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, and bills are herewith returned to the House:

H. B. No. 194, by Committee on Horticulture.

H. B. No. 196, by Burke and Toole.

H. B. No. 220, by Laubach, et al.

H. B. No. 309, by Parker (Wibaux).

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

Sub. H. B. No. 37, by Rev. and Taxation Committee,

Sub. H. B. No. 142, by Judiciary Committee.

H. B. No. 156, by Antrim.

H. B. No. 164, by Morrow.

H. B. No. 210, by Scott.

H. B. No. 287, by Livestock and Public Ranges Committee.

H. B. No. 330, by Agriculture Committee.

Sub. H. B. No. 353, by Fish and Game Committee.

H. B. No. 378, by Committee on Appropriations.

H. B. No. 379, by Committee on Appropriations.

H. B. No. 381, by Committee on Appropriations.

H. B. No. 383, by Committee on Appropriations.

H. B. No. 385, by Committee on Appropriations.

H. B. No. 387, by Committee on Appropriations.

I am directed by the Senate to inform your Honorable Body that the Senate this day refused to concur in the House amendments to S. B. No. 101 and requests the House to appoint a committee of three to act as a conference committee with a like committee from the Senate for the consideration of said amendments. The President Pro Tem named the following Senators to act as the committee from the Senate:

LIGGETT,
D'EWART,
WOODS (Judith Basin).

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by O'Connor, duly seconded and carried, that the House reconsider its action in failing to concur in Senate Bill No. 87 on Third Reading.

It was moved by O'Connor, duly seconded and carried, that the House request the Honorable Senate to return Senate Bill No. 87 for further consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 10:20 A. M. House Bills Nos. 61, 127, 131, 102, 112, House Joint Memorial No. 12.

COLE, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 131 was concurred in by the following vote:

Ayes: Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Dahlquist, Davey, Dillavou, Fewkes, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Tyler, Vanek, White, Wilson. Total 71.

Noes: Cummings, Green, Kemmis, Nash, Toole, Mr. Speaker. Total 6.

Absent and not voting: Ahern, Allen, Anson, Cole, Curran, Dougherty, Eggenberger, Esp, Flook, Freshman, Hammond, James, McMichael, Morrow, Murray, O'Connor, Parker of Cascade, Rice, Roehl, Toomey, Watson, Welcome, Williams, Winters, Zuck. Total 25.

Substitute Senate Bill No. 116 was concurred in by the following vote:

Ayes: Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Beazley, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Horrigan, James, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Morrow, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, White, Wilson, Winters. Total 67.

Noes: Clifford, Dahlquist, Holding, Hess, Kemmis, Martin of Fergus, Mernin, Miller, Murray, Nelson, Spiegel, Tyler, Vanek, Mr. Speaker. Total 14.

Absent and not voting: Ahern, Anson, Banka, Beck, Cannon, Cole, Cummings, Curran, Dougherty, Freshman, Hammond, Hazelbaker, Hunter, Kirscher, Nash, Rice, Roehl, Watson, Welcome, Williams, Zuck. Total 21.

Senate Bill No. 75 was concurred in by the following vote.

Ayes: Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Byrne, Carlson, Castles, Clifford, Cum-

mings, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, White, Wilson, Winters, Mr. Speaker. Total 81.

Noes: Burke, Toole. Total 2.

Absent and not voting: Ahern, Anson, Busch, Cannon, Cole, Curran, Dougherty, Freshman, Hammond, Horrigan, James, McKenna, Morrow, Petersen, Rice, Watson, Welcome, Williams, Zuck. Total 19.

Senate Bill No. 176 was concurred in by the following vote:

Ayes: Anderson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Dahlquist, Davey, Dillavou, Fewkes, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, LaBonte, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Reed, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, White, Wilson, Winters. Total 70.

Noes: Burke, Lehrkind, Petersen, Rasmussen, Mr. Speaker. Total 5.

Absent and not voting: Ahern, Allen, Anson, Armstrong, Cole, Curran, Dougherty, Eggenberger, Esp, Flook, Freshman, Hammond, Holding, Kirscher, Laubach, McMichael, Mernin, Morrow, Nash, O'Connor, Rice, Roehl, Vanek, Watson, Welcome, Williams, Zuck. Total 27.

Senate Bill No. 184 was concurred in by the following vote:

Ayes: Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Carlson, Castles, Clifford, Cummings, Dahlquist, Dillavou, Fewkes, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hunter, Kemmis, Kirscher, LaBonte, Lippard, Loughran, Lowe, Lynch, McDaniel, McKenna, Martin of Madison, Miller, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Scofield, Scott, Simpson, Stevens, Tonn, Toomey, Tyler, White, Williams, Wilson, Winters. Total 61.

Noes: Anderson, Cannon, Davey, Freshman, Horrigan, McGreevey, Martin of Fergus, Mernin, Murray, Nash, Spiegel, Mr. Speaker. Total 12.

Absent and not voting: Ahern, Allen, Anson, Armstrong, Burke, Byrne, Cole, Curran, Dougherty, Eggenberger, Esp, Flook, Hammond, Hess, James, Laubach, Lehrkind, McMichael, Morrow, O'Connor, Parker of Cascade, Rice, Roehl, Saylor, Toole, Vanek, Watson, Welcome, Zuck. Total 29.

House Bill No. 390 was passed by the following vote:

Ayes: Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Cannon, Carlson, Clifford, Cole, Cummings, Dahlquist, Davey, Dillavou, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Gunderson, Hageman, Harken, Harrison, Holding, Hess, Hunter, James, Kemmis, Kirscher, Lehrkind, Lippard, Loughran, Lowe, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash,

Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Parker of Flathead, Mr. Speaker. Total 72.

Noes: Anderson, Friedl, Green, Horrigan, Lynch, McDaniel, Petersen. Total 7.

Absent and not voting: Ahern, Allen, Anson, Armstrong, Byrne, Castles, Curran, Dougherty, Eggenberger, Esp, Flook, Hammond, Hazelbaker, LaBonte, Laubach, McMichael, Morrow, Rice, Roehl, Toole, Watson, Welcome, Zuck. Total 23.

House Bill No. 393 was passed by the following vote:

Ayes: Anderson, Antrim, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Clifford, Cole, Cummings, Dahlquist, Davey, Dillavou, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Saylor, Scott, Spiegel, Stevens, Toomey, Tyler, Vanek, White, Williams, Wilson, Mr. Speaker. Total 73.

Noes: Green, Horrigan, Petersen, Scofield, Simpson, Tonn, Winters. Total 7.

Absent and not voting: Ahern, Allen, Anson, Armstrong, Aronson, Castles, Curran, Dougherty, Eggenberger, Esp, Flook, Hammond, Harken, Horrigan, McMichael, Morrow, Parker of Flathead, Rice, Roehl, Toole, Watson, Welcome, Zuck. Total 22.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Oliver in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bills Nos. 173 and 351 be concurred in;

That Senate Amendments to Substitute House Bill No. 337 be not concurred in and that a Conference Committee be appointed by the House and a like committee be requested from the Senate;

That Senate Amendments to House Bill No. 217 be concurred in;

That consideration of Senate Amendments to House Bill No. 106 and 300 be passed temporarily;

That Senate Amendments to House Bill No. 191, 350 and 59 be concurred in;

That Senate Amendments to Substitute House Bill No. 14 be concurred in;

That Senate Amendments to House Bill No. 300 be concurred in;

That Senate Amendments to House Bill No. 106 be not concurred in and that a Conference Committee be appointed by the House and a like committee be requested from the Senate;

That Senate Amendments to House Bill No. 139 be concurred in;
That consideration of Senate Amendments to House Bill No. 202 be passed until the afternoon session;

That Senate Amendments to House Bill No. 324 be concurred in.

OLIVER, Chairman.

Report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your conference committee, appointed to confer on Senate Amendments to House Bill 187, report and recommend as follows: That the House agrees to all Senate Amendments.

ZUCK,
ANSON,
AHERN,
For the House.

ECTON,
PLANK,
MUNDY,
For the Senate.

On motion by Zuck, duly seconded, the Conference Committee report on Senate Amendments to House Bill No. 187 was adopted by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Cannon, Carlson, Castles, Clifford, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harrison, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scofield, Simpson, Spiegel, Stevens, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 75.

Noes: Anderson, Armstrong, Tonn. Total 3.

Absent and not voting: Aronson, Banka, Busch, Cole, Cummings, Dahlquist, Forbregd, Freshman, Harken, Hunter, Laubach, Lehrkind, Lippard, Lynch, McMichael, Martin of Madison, Nelson, Parker of Cascade, Potter, Rice, Scott, Watson, Welcome, Zuck. Total 24.

The Speaker appointed the following conference committees to act with like committees from the Senate:

On Senate Amendments to House Bill No. 337: Kirscher, Cannon and Morrow.

On Senate Amendments to House Bill No. 106: Burke, Horrigan and Armstrong.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the request of the House for the return of S. B. No. 87 for further consideration was this day, on motion, granted, and bill is herewith returned.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return Substitute House Bill No. 144 to the Senate.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Dillavou, duly seconded and carried, that Senate Bill No. 87 be placed on General Orders.

THIRD READING

The following Senate Amendments to House Bills were concurred in:

Senate Amendments to House Bill No. 173 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Carlson, Castles, Clifford, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 82.

Noes: Anson, Aronson, Curran, Horrigan, Scofield, Simpson. Total 6.

Absent and not voting: Burke, Cannon, Cole, Esp, Kemmis, Lowe, McMichael, Mernin, Parker of Flathead, Potter, Rice, Scott, Watson, Welcome. Total 14.

Senate Amendments to House Bill No. 351 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Busch, Cannon, Castles, Cummings, Curran, Davey, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Holding, Hess, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scofield, Simpson, Spiegel, Stevens, Tonn, Toole, Vanek, White, Wilson, Winters, Zuck, Carlson, Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Antrim, Armstrong, Banka, Burke, Byrne, Clifford, Cole, Dahlquist, Dillavou, Dougherty, Hammond, Hazelbaker, Horrigan, Hunter, Kemmis, McDaniel, Mernin, Morrow, Murray, O'Connor, Parker of Flathead, Potter, Rice, Scott, Toomey, Tyler, Watson, Welcome, Williams. Total 29.

Senate Amendments to House Bill No. 217 were concurred in by the following vote:

Ayes: Anderson, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Hageman, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, James, Kirscher, Laubach, Lehrkind, Lippard, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott,

Simpson, Spiegel, Stevens, Tonn, Toole, Vanek, White, Wilson, Zuck, Mr. Speaker. Total 72.

Noes: None.

Absent and not voting: Ahern, Allen, Anson, Antrim, Clifford, Cole, Davey, Dillavou, Dougherty, Gebhardt, Gunderson, Hammond, Harken, Kemmis, LaBonte, Loughran, McMichael, Martin of Fergus, Mernin, Oliver, Parker of Wibaux, Parker of Flathead, Potter, Rice, Toomey, Tyler, Watson, Welcome, Williams, Winters. Total 30.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Green in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend: That Senate Amendments to House Bill No. 202 be concurred in.

GREEN, Chairman.

Report adopted.

THIRD READING

Senate Amendments to House Bill No. 202, being a part of a Constitutional Amendment, and in accordance with the State Constitution, are herein set forth at length:

Amend in the title by inserting after the comma after the word "Peace" in line 12 of the original bill the word "Constables".

And further amend by inserting in Section 3 page 2 after the word "Dollars" in line 12 the following: "There shall also be elected in each organized township of each County, by the electors of such township, at least two constables, who shall hold their offices for a term of four years."

And the said foregoing Senate Amendments to House Bill No. 202 were concurred in by the following required two-thirds majority of the House membership, to-wit:

Ayes: Ahern, Anderson, Antrim, Armstrong, Aronson, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Davey, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Friedl, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, White, Wilson, Winters, Zuck, Mr. Speaker. Total 85.

Noes: Esp. Total 1.

Absent and not voting: Allen, Anson, Ballard, Dillavou, Freshman, Gebhardt, Hammond, Horrigan, Kemmis, McDaniel, Morrow, Rice, Toomey, Watson, Welcome, Williams. Total 16.

MOTIONS AND RESOLUTIONS

It was moved by James, duly seconded and carried, that Substitute House Bill No. 144 be taken from the Committee on Education and returned to the Senate in compliance with their request.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 174.

SAYLOR, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Speaker signed the following in Open Session; Senate Bills Nos. 186, 160, 105, 98, 53, 177, 76 and 90.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your conference committee, appointed to confer on House Amendments to Senate Bill No. 101, report and recommend as follows:

That the title be amended by striking out the period and quotation marks in line 4, and by adding the following: "and defining the nature of such services and the authority of the State Board of Health with reference thereto."

That the period in Line 12, Section 1, of the printed bill be stricken and the following words added: "and the Board may at its discretion, within the limits of its funds, provide services for children who are afflicted with or suffering from rheumatic fever, or heart diseases, and who are totally incapacitated for education or for remunerative occupation."

That the House recede from House amendments.

LIGGETT,
WOODS (Judith Basin),
D'EWARD,
For the Senate.

FRESHMAN,
BANKA,
SCOFIELD,
For the House.

On motion by Freshman, duly seconded, the report of the conference committee on House Amendments to Senate Bill No. 101 was adopted by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Dahlquist, Dillavou, Dougherty, Eggenberger, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Harken, Harrison, Hazelbaker, Hess, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Stevens, Toole, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 75.

Noes: Holding, Mernin, Murray, Simpson, Spiegel. Total 5.

Absent and not voting: Ahern, Armstrong, Aronson, Burke, Cole, Cummings, Curran, Davey, Esp, Flook, Gunderson, Hammond, Horrigan, James,

Lippard, Parker of Wibaux, Rice, Saylor, Tonn, Toomey, Watson, Welcome.
Total 22.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 128, respectfully report as follows: That Senate Bill No. 128 be not concurred in.

BALLARD, Acting Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Military Affairs, having had under consideration Senate Bill No. 148, respectfully report as follows: That Senate Bill No. 148 be concurred in.

CLIFFORD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration House Resolution No. 1, respectfully report as follows: That House Resolution No. 1 do not pass.

DOUGHERTY, Chairman.

It was moved by Dougherty, duly seconded, that the report of the Committee on Appropriations on House Resolution No. 1 be adopted.

A roll call, to be entered in the Journal, was requested by the required number, and motion by Dougherty carried by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Byrne, Castles, Clifford, Cole, Dahlquist, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Friedl, Green, Hageman, Hammond, Hazelbaker, Holding, Hess, Horrigan, James, Kemmis, LaBonte, Laubach, Lehrkind, Lowe, Lynch, McDaniel, McKenna, Martin of Fergus, Miller, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Stevens, Toomey, Tyler, Vanek, Williams, Wilson, Zuck. Total 62.

Noes: Ballard, Carlson, Cummings, Curran, Freshman, Goodwin, Harken, Harrison, Hunter, Lippard, Loughran, McGreevey, McMichael, Martin of Madison, Mernin, Morrow, Murray, Nash, O'Connor, Petersen, Scofield, Spiegel, Tonn, Toole, White, Winters, Mr. Speaker. Total 28.

Absent and not voting: Armstrong, Aronson, Burke, Cannon, Davey, Esp, Gebhardt, Gunderson, Kirscher, Rice, Watson, Welcome. Total 12.

Mr. Speaker:

We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 394.

DAHLQUIST, Vice-Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Appropriations, having had under consideration Senate Bill No. 59, respectfully report as follows: That Senate Bill No. 59 be not concurred in.

DOUGHERTY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 112—Providing for the construction and furnishing of a "Montana Veterans' and Pioneers' Memorial Building".

I have the honor to advise you that I have this day approved the following House Measures: H. B. No. 133—Relating to monthly statement of the County Treasurer. H. B. No. 291—Defining "Agent" or "Insurance Agent".

SAM C. FORD,
Governor.

THIRD READING

The following Senate Amendments to House Bills were concurred in:

Senate Amendments to House Bill No. 300 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Ballard, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Cole, Cummings, Curran, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 81.

Noes: White. Total 1.

Absent and not voting: Armstrong, Aronson, Banka, Burke, Clifford, Dahlquist, Davey, Esp, Gunderson, Horrigan, Laubach, Martin of Fergus, Murray, Parker of Cascade, Potter, Rice, Simpson, Tyler, Watson, Welcome. Total 20.

Senate Amendments to House Bill No. 191 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dahlquist, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 85.

Noes: Dillavou. Total 1.

Absent and not voting: Armstrong, Aronson, Burke, Davey, Esp, Gunderson, Horrigan, Laubach, Morrow, Murray, O'Connor, Potter, Rice, Saylor, Watson, Welcome. Total 16.

Senate Amendments to Substitute House Bill No. 350 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Armstrong, Aronson, Ballard, Burke, Curran, Dahlquist, Davey, Esp, Gunderson, Horrigan, Hunter, Lowe, Lynch, O'Brien, O'Connor, Parker of Cascade, Potter, Rice, Tyler, Watson, Welcome, White. Total 22.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bills Nos. 201 and 219 be concurred in;

That Senate Amendments to House Bill No. 179 be concurred in;

That Senate Bill No. 145 be not concurred in;

That Senate Bill No. 124 be concurred in;

That Senate Bill No. 21 be not concurred in;

That Senate Bill No. 106 be amended as follows:

Amend Section 4 by striking out in lines 8 and 9 after the word "speed" the following: "shall be a reasonable and prudent rate of speed; provided that" and in lines 9 and 10 after the word "required" strike out the words "the maximum rate of speed"; strike out in line 10 the word "be" after the word "shall" and insert in lieu thereof the words "not exceed"; further amend Section 4 by striking out in line 6 after the word "exceed" and before the word "miles" the words and number "forty-five (45)" and insert in lieu thereof the words and figures "fifty (50)"; and that the same be concurred in as amended;

That Senate Bill No. 121 be concurred in;

SPIEGEL, Chairman.

It was moved by Spiegel, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Anson, duly seconded and carried, that Senate Bill No. 145, be segregated from the report of the Committee of the Whole.

Whereupon, report of the Committee of the Whole was adopted as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 381, 378, 385, 387, 379, 156, 383, 210, 330, 287, Substitute House Bills Nos. 37 and 351.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 381 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 378 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 385 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 387 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 379 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 156 introduced by me and find the same to be correct.

ANTRIM.

I have examined House Bill No. 383 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 210 introduced by me and find the same to be correct.

SCOTT.

I have examined House Bill No. 330 introduced by me and find the same to be correct.

PHELAN.

I have examined House Bill No. 287 introduced by me and find the same to be correct.

KIRSCHER.

I have examined Substitute House Bill No. 37 introduced by me and find the same to be correct.

ANTRIM.

I have examined Substitute House Bill No. 351 introduced by me and find the same to be correct.

CANNON.

The Speaker signed the following in Open Session: House Bills Nos. 381, 378, 385, 387, 379, 156, 383, 210, 330, 287, and Substitute House Bills Nos. 37 and 351.

REPORTS OF SELECT COMMITTEES

We, your joint conference committee from the Senate and House of Representatives appointed to confer on the Senate amendments to House Bill No. 235, report and recommend as follows:

That the House agrees to the Senate amendment in Section 1, page 1, line 14 of the original bill, and line 4 of the printed bill.

That the Senate recede from its amendment striking out all of Section 18, and that the House recede from its amendment Section 18, and that said Section 18 of House Bill No. 235 be amended to read as follows:

"Section 18. Nothing in this act shall be construed as applying to any electrical construction of any person using such construction for power wires, where such construction and wires and the power plant furnishing electricity therefor are wholly owned by such person, and the electricity conducted thereby is produced and used solely by such person on his own premises, and not sold or delivered to any other person off his premises, and where the wires or construction are not upon or do not cross any highway or public place, or the property of others, and where such wires carry less than two hundred fifty (250) volts of electricity."

That the Senate and House agree to such amendment.

KEELEY,
SIMMONS,
ALVORD,

For the Senate.

O'BRIEN,
CARLSON,
LIPPARD,

For the House.

It was moved by Lippard, duly seconded, that the conference committee report on Senate Amendments to House Bill No. 235 be adopted, and the same was adopted by the following vote:

Ayes: Ahern, Anderson, Anson, Antrim, Armstrong, Ballard, Beazley, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Clifford, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Flook, Forbregd, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Harken, Holding, Hess, Horrigan, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lynch, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Rasmussen, Reed, Roehl, Scofield, Scott, Stevens, Toole, Toomey, Tyler, Vanek, Williams, Winters, Zuck. Total 69.

Noes: McMichael, Simpson, Mr. Speaker. Total 3.

Absent and not voting: Allen, Aronson, Banka, Beck, Cannon, Castles, Davey, Esp, Fewkes, Gebhardt, Gunderson, Harrison, Hazelbaker, Hunter, James, Laubach, Lowe, McDaniel, Murray, Petersen, Phelan, Potter, Rice, Saylor, Spiegel, Watson, Welcome, White, Wilson. Total 29.

Passed: Tonn. Total 1.

INTRODUCTION OF BILLS

Senate Substitute for House Bill No. 119: Introduced by Committee on Judiciary: A bill for an act entitled: "An act providing for the elimination of certain lands from drainage districts, and providing for procedure relative thereto." was read first and second times and referred to the Committee on Judiciary.

THIRD READING

The following Senate Amendments to House Bills were concurred in:

Senate Amendments to House Bill No. 59 were concurred in by the following vote:

Ayes: Ahern, Anderson, Antrim, Armstrong, Ballard, Bjerneby, Blenkner, Burke, Busch, Clifford, Cole, Dahlquist, Dillavou, Dougherty, Eggenberger, Flook, Freshman, Friedl, Green, Hageman, Hammond, Harken, Harrison, Holding, Hess, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 67.

Noes: Curran. Total 1.

Absent and not voting: Allen, Anson, Aronson, Banka, Beazley, Beck, Byrne, Cannon, Carlson, Castles, Cummings, Davey, Esp, Fewkes, Forbregd, Gebhardt, Goodwin, Gunderson, Hazelbaker, Horrigan, Hunter, James, Laubach, McDaniel, McMichael, Petersen, Potter, Rice, Saylor, Tonn, Toole, Watson, Welcome, White. Total 34.

Senate Amendments to House Bill No. 14 were concurred in by the following vote:

Ayes: Ahern, Anderson, Antrim, Armstrong, Ballard, Bjerneby, Blenkner, Burke, Busch, Byrne, Carlson, Cole, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Forbregd, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hess, Horrigan, Kemmis, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Miller, Morrow, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Flathead, Parker of Cascade, Phelan, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 70.

Noes: Holding, Martin of Fergus. Total 2.

Absent and not voting: Allen, Anson, Aronson, Banka, Beazley, Beck, Cannon, Castles, Clifford, Cummings, Davey, Esp, Fewkes, Flook, Gebhardt, Gunderson, Hazelbaker, Hunter, James, Laubach, McDaniel, Parker of Wibaux, Petersen, Potter, Rice, Saylor, Vanek, Watson, Welcome, White. Total 30.

Senate Amendments to Substitute House Bill No. 139 were concurred in by the following vote:

Ayes: Anderson, Anson, Antrim, Armstrong, Ballard, Beazley, Busch, Byrne, Cannon, Carlson, Clifford, Dahlquist, Flook, Forbregd, Friedl, Goodwin, Green, Hammond, Harrison, Holding, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McKenna, McMichael, Martin of Madison, Martin of Fergus, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Rasmussen, Roehl, Scofield, Scott, Simpson, Stevens, Tonn, Tyler, Williams, Wilson, Winters, Zuck. Total 53.

Noes: Curran, Hess, Kemmis, Mernin, Morrow, Spiegel, Mr. Speaker. Total 7.

Absent and not voting: Ahern, Allen, Aronson, Banka, Beck, Bjerneby, Blenkner, Burke, Castles, Cole, Cummings, Davey, Dillavou, Dougherty,

Eggenberger, Esp, Fewkes, Freshman, Gebhardt, Gunderson, Hageman, Harken, Hazelbaker, Horrigan, Hunter, James, Laubach, McDaniel, McGreevey, Miller, O'Connor, Petersen, Potter, Reed, Rice, Saylor, Toole, Toomey, Vanek, Watson, Welcome, White. Total 42.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration Senate Substitute for House Bill No. 119, respectfully report as follows: That Senate Substitute for House Bill No. 119 be concurred in.

TOOLE, Chairman.

Report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, March 3rd, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-SEVENTH DAY

House of Representatives,
Helena, Montana,
March 3, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except the following: Rice, Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Fifty-fifth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your conference committee appointed to consider Senate Amendments to Substitute House Bill No. 337, respectfully report and recommend as follows:

That the Senate recede from Senate Amendments and that Substitute House Bill No. 337 as passed by the House do pass.

Respectfully submitted,

D'EWART,
HAIGHT,
LIGGETT,
For the Senate.

KIRSCHER,
MORROW, Jr.,
CANNON,
For the House.

It was moved By Cannon, duly seconded and carried, that consideration of the report of the conference committee on Senate Amendment to Substitute House Bill No. 337 be deferred until the afternoon session.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Social Security, having had under consideration Senate Bill No. 147, respectfully report as follows: That Senate Bill No. 147 be not concurred in.

BYRNE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 61, relating to the practice and regulation of cosmetology and hair-dressing.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion and at the request of the House, appointed the following Conference Committees to act with like committees from the House:

For the consideration of Senate amendments to H. B. No. 106: Mundy, Mahoney and Hammond.

For the consideration of Senate amendments to Sub. H. B. No. 337: D'Ewart, Liggett and Haight.

I am directed by the Senate to inform your Honorable Body that the following bills were this day recommended for non-concurrence in the Senate, and bills are herewith returned to the House:

H. B. No. 55, by Banka, by request.

H. B. No. 171, by Laubach.

H. B. No. 232, by Busch.

H. B. No. 237, by Harrison by request.

H. B. No. 248, by LaBonte.

H. B. No. 250, by Clifford and Murray.

H. B. No. 258, by Parker (Cascade).

H. B. No. 267, by Committee on Water Conservation and Flood Control.

H. B. No. 272, by Ballard.

H. B. No. 298, by Laubach, et al.

H. B. No. 316, by Martin (Fergus), et al.

H. B. No. 362, by Cannon, et al.

Sub. H. B. No. 364, by Committee on Fish and Game.

I am directed by the Senate to inform your Honorable Body that the following bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 114, by Nelson.

H. B. No. 204, by Kemmis.

H. B. No. 222, by Toomey and Ahern.

- H. B. No. 256, by Parker (Cascade).
- H. B. No. 346, by Parker (Cascade) et al.
- H. B. No. 349, by O'Connor.

I am directed by the Senate to inform your Honorable Body that the following bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

- H. B. No. 88, by Committee on Education.
- H. B. No. 104, by Committee on Education.
- H. B. No. 124, by Saylor, Nelson and Miller.
- H. B. No. 129, by Committee on Agriculture.
- H. B. No. 170, by Morrow.
- H. B. No. 238, by Committee on Education.
- H. B. No. 239, by Committee on Education.
- H. B. No. 243, by Committee on Horticulture.
- H. B. No. 257, by Parker (Cascade).
- H. B. No. 295, by Busch.
- H. B. No. 311, by Parker (Flathead), et al.

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted reports of Joint Conference Committees, as follows:

- On Senate amendments to H. B. No. 187.
- On Senate amendments to H. B. No. 235.
- On House amendments to S. B. No. 60.
- On House amendments to S. B. No. 101.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker signed the following in Open Session: Senate Joint Memorials Nos. 16, 15, 14 and 11; and Senate Bills Nos. 178, 127, 100, 58, 119, 175, 173, 137, 153, 196, 78, 130, 67, 184, 75, 99, 82, 84, 176, 131, and Substitute Senate Bill No. 189.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 52, respectfully report as follows: That Senate Bill No. 52 be concurred in.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 183, respectfully report as follows: That Senate Bill No. 183 be amended to read as follows:

By adding after the “;” in line 20 of the original bill and line 12 in the printed bill, the following: “or within a distance of five (5) miles thereof, measured in a straight line from the nearest entrance of the premises to be licensed to the nearest boundary of such city, three hundred (\$300.00) dollars per annum.”

By inserting a new subsection after line 1, page 2 of the original bill and line 23, page 2 of the printed bill, to read as follows: “The distance of five (5) miles from the corporate limits of any cities and towns shall be

measured in a straight line from the nearest entrance of the premises to be licensed to the nearest boundary of such city or town; and where the premises of the applicant to licensed are situated within five (5) miles of the corporate boundaries of two (2) or more incorporated cities or towns of a different population the license chargeable by the larger incorporated city or town shall apply and be paid by the applicant."

Sub-section (f) of the printed bill, be re-numbered as sub-section (g).

By striking out all of Section 2 and inserting in lieu thereof, the following: Section 2. That Section 5 of Chapter 84 of the Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, as amended by Chapter 221 of the Session Laws of the Twenty-sixth Legislative Assembly of the State of Montana, 1939, be amended to read as follows:

Section 5. Prior to the issuance of a license as herein provided, the applicant shall file with the Montana Liquor Control Board an application in writing, signed by the applicant, and containing such information and statements relative to the applicant and the premises where the liquor is to be sold, as may be required by the Montana Liquor Board. The application shall be verified by the affidavit of the person making the same before a person authorized to administer oaths. If any false statement is made in any part of said application, the applicant, or applicants, shall be deemed guilty of a misdemeanor and upon conviction thereof the license, if issued, shall be revoked and the applicant, or applicants, subjected to the penalties provided by law."

By striking out all of Section 3.

That Senate Bill No. 183 be concurred in as amended.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 10:25 A. M.: House Bills Nos. 287, 330, 219, 383, 156, 387, 379, 385, 381 and 378 and Substitute House Bills Nos. 37 and 351.

COLE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, duly seconded and carried, requests the House to return to the Senate for further consideration.

H. B. No. 222.

H. B. No. 298.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Cannon, duly seconded and carried, that the House accede to the request of the Honorable Senate for the return of House Bill No. 298 for further consideration.

It was moved by McKenna, duly seconded and carried, that the House accede to the request of the Honorable Senate for the return of House Bill No. 222.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 394 was passed by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Armstrong, Aronson, Ballard, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Gebhardt, Goodwin, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hunter, James, Kemmis, Kirscher, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Miller, Nash, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 67.

Noes: Anderson, Banka, Beazley, Beck, Clifford, Dahlquist, Friedl, Green, Gunderson, Holding, Hess, McGreevey, McKenna, Martin of Fergus, Mernin, Morrow, Nelson, Parker of Cascade, Petersen, Spiegel, Stevens. Total 21.

Absent and not voting: Bjorneby, Cole, Curran, Davey, Freshman, Horrigan, LaBonte, Laubach, Murray, Rasmussen, Rice, Watson, Welcome, White. Total 14.

The following Senate Amendments to House Bills were concurred in:

Senate Amendments to House Bill No. 324 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Cummings, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 83.

Absent and not voting: Anson, Banka, Cannon, Clifford, Cole, Curran, Davey, Freshman, Horrigan, Lippard, Lynch, Morrow, Murray, Parker of Flathead, Rice, Toomey, Watson, Welcome, White. Total 19.

Senate Amendments to House Bill No. 201 were concurred in by the following vote:

Ayes: Ahern, Allen, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 82.

Absent and not voting: Anderson, Anson, Beazley, Cole, Curran, Dahlquist, Davey, Freshman, Goodwin, Hageman, Horrigan, Lippard, Lynch, Morrow, Murray, Parker of Flathead, Rice, Watson, Welcome, White. Total 20.

Senate Amendments to House Bill No. 219 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Harken, Harrison, Hazelbaker, Hess, James, Kirscher, LaBonte, Laubach, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 80.

Noes: Kemmis. Total 1.

Absent and not voting: Clifford, Cole, Curran, Dahlquist, Davey, Freshman, Green, Hammond, Holding, Horrigan, Hunter, Lehrkind, Lippard, Lynch, Mernin, Murray, Rice, Watson, Welcome, White, Mr. Speaker. Total 21.

Senate Amendments to House Bill No. 179 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Dillavou, Dougherty, Eggenberger, Esp, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 80.

Absent and not voting: Clifford, Cole, Curran, Dahlquist, Davey, Fewkes, Freshman, Holding, Horrigan, Hunter, Lippard, Lynch, McKenna, Morrow, Murray, O'Connor, Parker of Flathead, Rice, Watson, Welcome, White, Mr. Speaker. Total 22.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE REPORT

Honorable President of the Senate and Honorable Speaker of the House of Representatives:

We, your Conference Committee, appointed to consider House Amendments to Senate Bill No. 60, respectfully report as follows:

That the House recedes from House amendments to Senate Bill No. 60.

DRUMHELLER,
TAYLOR,
GILBERT,

For the Senate.

TOOMEY,
BEAZLEY,
LOUGHRAN,

For the House.

It was moved by Toomey, duly seconded, that the conference committee report on House Amendments to Senate Bill No. 60 be adopted and the same was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Cannon, Carlson, Castles, Cummings, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McMichael, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck, Harrison. Total 81.

Absent and not voting: Busch, Clifford, Cole, Curran, Dahlquist, Davey, Freshman, Horrigan, Hunter, Lippard, Lynch, McKenna, Martin of Madison, Murray, Petersen, Rice, Scott, Watson, Welcome, White, Mr. Speaker. Total 21.

THIRD READING

Senate Bill No. 124, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Cannon, Carlson, Castles, Cummings, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Miller, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Simpson, Spiegel, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 82.

Absent and not voting: Armstrong, Busch, Clifford, Cole, Curran, Dahlquist, Davey, Freshman, Horrigan, Hunter, Lippard, Lowe, Lynch, Murray, Rice, Scott, Watson, Welcome, White, Mr. Speaker. Total 20.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on State Lands, having had under consideration Substitute Senate Bill No. 1, respectfully report as follows: That Substitute Senate Bill No. 1 be not concurred in.

GUNDERSON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 110, respectfully report as follows: That Senate Bill No. 110 be amended as follows:

Amend Section 1 on page 4 of line 1 after the word "seasons" by inserting the following "except as otherwise provided by law."

On page 5 Section 1 strike the phrase beginning on line 20 and ending on line 26 which reads as follows: "Said commission shall, in addition to the powers heretofore granted, have such other and further powers as may be necessary to fully carry out the purpose and intent of all the laws pertaining to fish, game and fur-bearing animals, game and non-game bird propagation, protection, conservation and management of this act; provided, however, that"; and that the word "it" in line 26 shall be capitalized.

And as so amended be concurred in.

CANNON, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Fish and Game, having had under consideration Senate Bill No. 129, respectfully report as follows: That Senate Bill No. 129 be not concurred in.

McMICHAEL, Acting Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 371, by Appropriations Committee.

H. B. No. 372, by Appropriations Committee.

H. B. No. 373, by Appropriations Committee.

H. B. No. 374, by Appropriations Committee.

H. B. No. 376, by Appropriations Committee.

H. B. No. 377, by Appropriations Committee.

H. B. No. 382, by Appropriations Committee.

H. B. No. 384, by Appropriations Committee.

H. B. No. 386, by Appropriations Committee.

I am directed by the Senate to inform your Honorable Body that H. B. No. 367, by Committee on Fish and Game, was this day recommended for non-concurrence in the Senate, and bill is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that Sub. H. B. No. 9 was this day read third time and concurred in as amended by the Senate, title and history agreed to, and bill is herewith returned to the House for concurrence in the Senate amendments.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Toomey, duly seconded and carried, that the Speaker be authorized to appoint a Committee of five for the purpose of visiting the sick members and conveying to them expressions of regret of the House that they were not in attendance during the session.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your conference committee appointed to consider Senate Amendments to Substitute House Bill No. 337, respectfully report and recommend as follows:

That the Senate recede from Senate Amendments and that Substitute House Bill No. 337, as passed by the House do pass.

Respectfully submitted,

D'EWART,
HAIGHT,
LIGGETT,

For the Senate.

KIRSCHER,
MORROW, JR.
CANNON,

For the House.

It was moved by Morrow, duly seconded, that the report of the conference committee on Senate Amendments to Substitute House Bill No. 337 be adopted.

On substitute motion, it was moved by Cannon, duly seconded, that conference committee be discharged and a new conference committee appointed by the House and a like committee be requested from the Senate. Motion lost.

Whereupon the conference committee report was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Blenkner, Burke, Busch, Byrne, Carlson, Cummings, Curran, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Goodwin, Green, Hageman, Hammond, Harken, Hazelbaker, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Morrow, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Potter, Rasmussen, Scofield, Scott, Simpson, Stevens, Toomey, Tyler, Williams, Wilson. Total 61.

Noes: Beazley, Beck, Bjorneby, Cannon, Clifford, Dahlquist, Davey, Friedl, Gunderson, Harrison, Hess, McGreevey, McKenna, Martin of Fergus, Mernin, Nash, Nelson, Petersen, Saylor, Spiegel, Toole, Vanek, Winters, Zuck, Mr. Speaker. Total 25.

Absent and not voting: Castles, Cole, Gebhardt, Holding, Miller, Murray, Parker of Flathead, Parker of Cascade, Phelan, Reed, Rice, Roehl, Tonn, Watson, Welcome, White. Total 16.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 121 was concurred in by the following vote:

Ayes: Ahern, Allen, Anson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Clifford, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lowe, McDaniel, McMichael, McMichael, Martin of Madison, Nash, Newell, Oliver, Parker of Wibaux, Petersen, Potter, Rasmussen, Saylor, Scofield, Scott, Simpson, Stevens, Tyler, Vanek, Williams, Wilson, Winters, Zuck. Total 63.

Noes: Cummings, Curran, Dahlquist, Davey, Friedl, Loughran, Lynch, McGreevey, Martin of Fergus, Mernin, Nelson, O'Brien, Spiegel, Mr. Speaker. Total 14.

Absent and not voting: Anderson, Armstrong, Cannon, Castles, Cole, Gebhardt, Holding, Laubach, Lippard, Miller, Morrow, Murray, O'Connor, Parker of Flathead, Parker of Cascade, Phelan, Reed, Rice, Roehl, Tonn, Toole, Toomey, Watson, Welcome, White. Total 25.

Senate Bill No. 106 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Ballard, Banka, Beck, Bjorneby, Blenkner, Burke, Busch, Carlson, Castles, Clifford, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Goodwin, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Horrigan, Hunter, James, Kemmis, Kirscher, LaBonte, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Martin of Fergus, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Petersen, Potter, Rasmussen, Saylor, Scofield, Scott, Simpson, Stevens, Tyler, Vanek, Williams, Wilson, Winters. Total 64.

Noes: Beazley, Byrne, Cummings, Curran, Davey, Friedl, Gunderson, Hess, Loughran, McKenna, Mernin, Parker of Cascade, Spiegel, Toole, Zuck. Total 15.

Absent and not voting: Anson, Aronson, Cannon, Cole, Gebhardt, Holding, Laubach, Lehrkind, Lippard, Miller, Morrow, Murray, Parker of Flathead, Phelan, Reed, Rice, Roehl, Tonn, Toomey, Watson, Welcome, White, Mr. Speaker. Total 23.

The Speaker appointed the following committee to visit the sick: **Nash**, Chairman; Stevens, Petersen, LaBonte, Holding, Davey and Tyler.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Blenkner in the Chair. Committee arose with leave to sit again.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of Senate Amendments to House Bills Nos. 114, 204, 9, 256, 346, 349, and Senate Substitute for House Bill No. 119 be passed temporarily;

That Senate Bill No. 183 be concurred in;

That Senate Bill No. 87 be amended as follows:

Amend the title by striking therefrom after the word "indebtedness" in line 3 the following words: "and validating certain contracts heretofore entered into in connection with such refunding";

Amend Section 1, by striking lines 1 to 5 inclusive and all of lines 13 to 18 inclusive.

Amend Section two by striking out in lines 1 and 2 the words "30th day of June, 1941" and inserting in lieu thereof the words "15th day of September, 1941";

And that the same be concurred in as amended;

That Senate Bill No. 195 be concurred in;

That Senate Bill No. 52 be concurred in;

That Senate Bill No. 162 be concurred in.

BLENKNER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Lynch, duly seconded and carried, that House Bill No. 183 be taken from the Enrolling Committee and placed on General Orders for amendment.

CONSIDERATION OF GENERAL ORDERS

It was moved by Lippard, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Blenkner in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following recommend:

That Senate Bills Nos. 145 and 148 be concurred in;

That Senate Bill No. 111 be concurred in;

That Senate Bill No. 125 be concurred in;

That Senate Bill No. 25 be amended as follows:

Amend Section 1 by striking out in line 5 after the comma the words "from two A. M. to one P. M. and insert "Beer from two A. M. to 8 A. M.; Liquor two A. M. to one P. M.";

Amend by striking all of Section 2.

And that the same be concurred in as amended;

That Senate Bill No. 126 be concurred in;

That Senate Bill No. 142 be not concurred in;

That Senate Substitute for House Bill No. 119 be concurred in;

That Senate Bill No. 110 be amended as follows:

Amend in line 64, Section 1 by striking the words "open, shorten, lengthen or close" and insert in lieu thereof the words "open or close, shorten or lengthen."

And that the same be concurred in, as amended.

BLINKNER, Chairman.

It was moved by Blenkner, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by O'Connor, duly seconded, that Senate Bill No. 142 be segregated from the report of the Committee of the Whole.

A Call of the House was demanded by the required number, and after the Clerk called the roll, on motion, duly seconded and carried, further Call of the House be dispensed with.

A roll call, to be entered in the Journal, was requested by the required number, and motion to segregate lost by the following vote:

Ayes: Aronson, Blenkner, Carlson, Castles, Dillavou, Eggenberger, Esp, Flook, Forbergd, Freshman, Gebhardt, Hageman, Hammond, Harrison, Hazelbaker, Horrigan, Hunter, Kemmis, LaBonte, Laubach, Lehrkind, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Morrow, Newell, O'Connor, Oliver, Petersen, Potter, Rasmussen, Reed, Scofield, Toomey, Williams, Wilson, Winters. Total 39.

Noes: Ahern, Allen, Anderson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjorneby, Byrne, Cannon, Cole, Cummings, Curran, Dahlquist, Dougherty, Fewkes, Friedl, Goodwin, Green, Gunderson, Harken, Hess,

James, Kirscher, Lippard, Loughran, McGreevey, McKenna, Martin of Ferguson, Mernin, Murray, Nelson, O'Brien, Parker of Wibaux, Parker of Cascade, Phelan, Saylor, Simpson, Spiegel, Toole, Vanek, Zuck, Mr. Speaker. Total 45.

Absent and not voting: Anson, Burke, Busch, Clifford, Davey, Helding, Miller, Nash, Parker of Flathead, Rice, Roehl, Scott, Stevens, Tonn, Tyler, Watson, Welcome, White. Total 18.

Whereupon report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 202, 191, 311, 217, 295, 300, 164, 59, 170, 124, 257 and Substitute House Bills Nos. 353, 142, 139 and 350.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 202 introduced by me and find the same to be correct.

TOOLE.

I have examined House Bill No. 191 introduced by me and find the same to be correct.

CLIFFORD.

I have examined House Bill No. 311 introduced by me and find the same to be correct.

PARKER of Flathead.

I have examined House Bill No. 217 introduced by me and find the same to be correct.

BYRNE.

I have examined House Bill No. 295 introduced by me and find the same to be correct.

BUSCH.

I have examined House Bill No. 300 introduced by me and find the same to be correct.

TOOLE.

I have examined House Bill No. 164 introduced by me and find the same to be correct.

MORROW.

I have examined House Bill No. 59 introduced by me and find the same to be correct.

MORROW.

I have examined House Bill No. 170 introduced by me and find the same to be correct.

MORROW.

I have examined House Bill No. 124 introduced by me and find the same to be correct.

SAYLOR.

I have examined Substitute House Bill No. 353 introduced by me and find the same to be correct.

CANNON.

I have examined Substitute House Bill No. 142 introduced by me and find the same to be correct.

TOOLE.

I have examined Substitute House Bill No. 139 introduced by me and find the same to be correct.

TOOLE.

I have examined House Bill No. 257 introduced by me and find the same to be correct.

PARKER of Cascade.

I have examined Substitute House Bill No. 350 introduced by me and find the same to be correct.

CANNON.

The Speaker signed the following in Open Session: House Bills Nos. 202, 191, 311, 217, 295, 300, 164, 59, 170, 124, 257, and Substitute House Bills Nos. 353, 142, 139 and 350.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 183 was concurred in by the following vote:

Ayes: Ahern, Allen, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Castles, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flook, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Hess, James, Kemmis, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Morrow, Nelson, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Saylor, Scofield, Spiegel, Toole, Vanek, Wilson, Winters, Zuck. Total 63.

Noes: Murray, Mr. Speaker. Total 2.

Absent and not voting: Anderson, Anson, Busch, Byrne, Cannon, Carlson, Clifford, Cole, Davey, Eggenberger, Forbregd, Friedl, Hageman, Hazelbaker, Holding, Horrigan, Hunter, Laubach, Lippard, Martin of Madison, Miller, Nash, Oliver, Parker of Cascade, Petersen, Rice, Roehl, Scott, Simpson, Stevens, Tonn, Toomey, Tyler, Watson, Welcome, White, Williams. Total 37.

Senate Bill No. 87 was concurred in by the following vote:

Ayes: Ahern, Anderson, Aronson, Ballard, Beck, Bjerneby, Blenkner, Burke, Byrne, Castles, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flook, Freshman, Friedl, Goodwin, Green, Hammond, Harken, Hess, Horrigan, Kemmis, Kirscher, LaBonte, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Morrow, Nelson, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Saylor, Scofield, Simpson, Toole, Wilson, Winters, Zuck, Mr. Speaker. Total 55.

Noes: Banka, Beazley, Gunderson, James, Martin of Fergus, Murray, Petersen, Vanek. Total 8.

Absent and not voting: Allen, Anson, Antrim, Armstrong, Busch, Cannon, Carlson, Clifford, Cole, Davey, Eggenberger, Forbregd, Gebhardt, Hageman, Harrison, Hazelbaker, Holding, Hunter, Laubach, Lehrkind, Lippard, McDaniel, Mernin, Miller, Nash, Oliver, Parker of Cascade, Rice, Roehl, Scott, Spiegel, Stevens, Tonn, Toomey, Tyler, Watson, Welcome, White, Williams. Total 39.

Senate Bill No. 195 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Aronson, Ballard, Beazley, Beck, Bjerneby, Blenkner, Burke, Byrne, Castles, Cole, Cummings, Dillavou, Dougherty, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Goodwin, Harken, Harrison, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Martin of Fergus, Morrow, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Saylor, Scofield, Simpson, Toole, Toomey, Vanek, Williams, Wilson, Winters, Zuck. Total 60.

Noes: Green, Gunderson, Hess, McKenna, Murray, Spiegel, Mr. Speaker. Total 7.

Absent and not voting: Anson, Armstrong, Banka, Busch, Cannon, Carlson, Clifford, Curran, Dahlquist, Davey, Eggenberger, Forbregd, Hageman, Hammond, Hazelbaker, Holding, Horrigan, Hunter, Laubach, McGreevey, Mernin, Miller, Nash, O'Connor, Oliver, Parker of Cascade, Rice, Roehl, Scott, Stevens, Tonn, Tyler, Watson, Welcome, White. Total 35.

Senate Bill No. 52 was concurred in by the following vote:

Ayes: Allen, Anderson, Antrim, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Byrne, Cannon, Castles, Cole, Cummings, Dahlquist, Dillavou, Esp, Fewkes, Flook, Friedl, Gebhardt, Goodwin, Green, Hammond, Harken, Harrison, Hess, James, Kemmis, Kirscher, LaBonte, Lehrkind, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Martin of Fergus, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Saylor, Scofield, Simpson, Spiegel, Toomey, Vanek, Wilson, Winters, Mr. Speaker. Total 60.

Noes: Curran, Freshman, Gunderson, Loughran, McGreevey, Murray, O'Brien. Total 7.

Absent and not voting: Ahern, Anson, Armstrong, Busch, Carlson, Clifford, Davey, Dougherty, Eggenberger, Forbregd, Hageman, Hazelbaker, Holding, Horrigan, Hunter, Laubach, Lippard, Mernin, Miller, Morrow, Nash, O'Connor, Parker of Cascade, Rice, Roehl, Scott, Stevens, Tonn, Toole, Tyler, Watson, Welcome, White, Williams, Zuck. Total 35.

Senate Bill No. 162 was concurred in by the following vote:

Ayes: Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Byrne, Castles, Cole, Cummings, Curran, Dillavou, Dougherty, Fewkes, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Harrison, Horrigan, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McMichael, Martin of Madison, Morrow, Nelson, Newell, O'Brien, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Reed, Rice, Scofield, Simpson, Toomey, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 56.

Noes: Beazley, Cannon, Dahlquist, Gunderson, Hess, James, McKenna, Martin of Fergus, Mernin, Murray, Saylor, Spiegel, Vanek. Total 13.

Absent and not voting: Ahern, Anson, Busch, Carlson, Clifford, Davey, Eggenberger, Esp, Flook, Forbregd, Hageman, Harken, Hazelbaker, Held-

ing, Hunter, Kirscher, Miller, Nash, O'Connor, Oliver, Parker of Cascade, Petersen, Rasmussen, Rice, Roehl, Scott, Stevens, Tonn, Toole, Tyler, Watson, Welcome, White. Total 33.

Senate Bill No. 145 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Bjorneby, Blenkner, Burke, Byrne, Carlson, Castles, Clifford, Cole, Dillavou, Dougherty, Fewkes, Flook, Freshman, Gebhardt, Goodwin, Gunderson, Hammond, Harken, Harrison, Horrigan, James, Kemmis, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Morrow, Nelson, Parker of Flathead, Petersen, Potter, Reed, Scofield, Toole, Toomey, Williams, Winters, Zuck, Mr. Speaker. Total 56.

Noes: Beazley, Beck, Cannon, Cummings, Curran, Dahlquist, Esp, Friedl, Green, Kirscher, Martin of Fergus, Murray, Newell, O'Brien, Parker of Wibaux, Parker of Cascade, Phelan, Saylor, Simpson, Spiegel, Vanek. Total 21.

Absent and not voting: Anson, Busch, Davey, Eggenberger, Forbregd, Hageman, Hazelbaker, Holding, Hess, Hunter, Miller, Nash, O'Connor, Oliver, Rasmussen, Rice, Roehl, Scott, Stevens, Tonn, Tyler, Watson, Welcome, White, Wilson. Total 25.

Senate Bill No. 148 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Banka, Blenkner, Burke, Byrne, Carlson, Castles, Clifford, Cummings, Curran, Dillavou, Dougherty, Flook, Freshman, Friedl, Gebhardt, Hammond, Harken, Harrison, Horrigan, Kirscher, LaBonte, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, Martin of Madison, Mernin, Nash, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Scofield, Simpson, Spiegel, Toole, Toomey, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 58.

Noes: Beazley, Beck, Bjorneby, Cannon, Dahlquist, Esp, Green, Gunderson, Laubach, McKenna, Martin of Fergus, Nelson, Vanek. Total 13.

Absent and not voting: Anson, Busch, Cole, Davey, Eggenberger, Fewkes, Forbregd, Goodwin, Hageman, Hazelbaker, Holding, Hess, Hunter, James, Kemmis, McMichael, Miller, Morrow, Murray, Oliver, Parker of Cascade, Rice, Roehl, Saylor, Scott, Stevens, Tonn, Tyler, Watson, Welcome, White. Total 31.

Senate Bill No. 25 was not concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Aronson, Banka, Beck, Bjorneby, Byrne, Castles, Cole, Dahlquist, Dillavou, Fewkes, Green, Harken, Harrison, Hess, James, Kemmis, Kirscher, LaBonte, Laubach, Lowe, McDaniel, Martin of Fergus, Nelson, Newell, Parker of Flathead, Petersen, Potter, Reed, Simpson, Tonn, Vanek, Wilson, Winters, Zuck. Total 38.

Noes: Ballard, Beazley, Blenkner, Burke, Cannon, Carlson, Clifford, Cummings, Curran, Dougherty, Esp, Flook, Freshman, Friedl, Gebhardt, Goodwin, Gunderson, Hammond, Lehrkind, Lippard, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Morrow, Murray, O'Brien, O'Connor, Parker of Wibaux, Phelan, Rasmussen, Saylor, Scofield, Spiegel, Toole, Toomey, Williams, Loughran, Mr. Speaker. Total 41.

Absent and not voting: Anson, Armstrong, Busch, Davey, Eggenberger, Forbregd, Hageman, Hazelbaker, Holding, Horrigan, Hunter, Miller, Nash, Oliver, Parker of Cascade, Rice, Roehl, Scott, Stevens, Tyler, Watson, Welcome, White. Total 23.

Senate Bill No. 110 was concurred in by the following vote:

Ayes: Ahern, Allen, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Burke, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dillavou, Dougherty, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Hess, Horrigan, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Nelson, Newell, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Phelan, Potter, Rasmussen, Reed, Saylor, Scofield, Simpson, Spiegel, Tonn, Toole, Toomey, Vanek, Williams, Wilson, Winters, Zuck. Total 74.

Noes: Anderson, Aronson, Dahlquist, Murray, Petersen, Mr. Speaker. Total 6.

Absent and not voting: Anson, Busch, Cole, Davey, Eggenberger, Forbregd, Hageman, Hazelbaker, Holding, Hunter, Lippard, Miller, Nash, Oliver, Rice, Roehl, Scott, Stevens, Tyler, Watson, Welcome, White. Total 22.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that a Committee of three be authorized to meet with a like committee from the Senate and attend the hearing on defense program to be held at the Placer Hotel this evening.

Whereupon the Speaker appointed Ballard, Dougherty and Hammond as such committee.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 375, by Committee on Appropriations.

H. B. No. 392, by Committee on Judiciary.

I am directed by the Senate to inform your Honorable Body that H. B. No. 50, by Toomey, was this day recommended for non-concurrence in the Senate, and bill is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 175, by Committee on Agriculture.

Sub. H. B. No. 144, by Committee on Education.

H. B. No. 391, by House Committee of the Joint House and Senate Committee on Educational Institutions and Affairs.

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the report of the Joint Conference Committee of the House and Senate considering Senate amendments to Sub. H. B. No. 337.

I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in the House amendments to Sub. S. B. No. 116, on roll call, and concurred in the action of the House on S. B. No. 75, it having been amended by the House Committee on Judiciary and the said amendments having been stricken in Committee of the Whole.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in the House amendments to S. B. No. 124.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, March 4th, 1941, at one o'clock P. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-EIGHTH DAY

House of Representatives,
Helena, Montana,
March 4, 1941.

House convened, pursuant to adjournment, at 1:00 o'clock P. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following, who were excused: James, Miller, Rice, Toole, Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Fifty-seventh Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 104, 88, 129, 239, 384, 382, 373, 386, 372, 371, and 179 and Substitute House Bill No. 14.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 373 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 386 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 372 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 371 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 384 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 382 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 129 introduced by me and find the same to be correct.

PHELAN.

I have examined House Bill No. 179 introduced by me and find the same to be correct.

BEAZLEY.

I have examined Substitute House Bill No. 14 introduced by me and find the same to be correct.

LOWE.

The Speaker signed the following in Open Session: House Bills Nos. 104, 88, 129, 239, 384, 382, 373, 386, 372, 371, 179, and Substitute House Bill No. 14.

REPORTS OF SELECT COMMITTEES

Mr. President and Mr. Speaker:

We, your Joint Conference Committee appointed to consider Senate amendments to House Bill No. 106, beg leave to report as follows:

That Section 2 be amended by striking out in line 7 on page 5 of the original bill the words and figures, "Sixty-One Hundred Dollars....\$6,100.00" and inserting in lieu thereof the words and figures, "Seventy-One Hundred Dollars....\$7,100.00"; also by striking out in line 10 on page 5 of the original bill the words and figures, "Sixty-Three Hundred Fifty Dollars....\$6,350.00" and inserting in lieu thereof the words and figures, "Fifty-three Hundred Fifty Dollars....\$5,350.00," that Section 3 be amended by striking out in line 10 on page 9 of the original bill the words and figures, "Sixty-One Hundred Dollars....\$6,100.00" and inserting in lieu thereof the words and figures, "Seventy-One Hundred Dollars....\$7,100.00"; also by striking out in line 13 on page 9 of the original bill the words and figures, "Forty-Eight Hundred Fifty Dollars....\$4,850.00" and inserting in lieu thereof the words and figures, "Thirty-Eight Hundred Fifty Dollars....\$3,850.00";

Also that the Senate agree that the following be inserted following the Railroad and Public Service Commission appropriation which is on page 6 of the original bill, in lines 11 to 23 inclusive, which was stricken by the Senate:

"The above appropriations are for the purpose of carrying out all of the functions and duties of the Railroad Commission, the Public Service Commission, and the Motor Carrier Division, the Oil and Gas Division, Gasoline Licensing Division and Electrical Safety Inspection Division, or any other duties prescribed by law, including salaries of secretary, stenographers, engineer, rate clerk, examiners, experts, clerks, accountants, oil and gas inspectors, safety inspector, electrical inspector, field men, and all other employees."; also insert the last above named amendment at line 26, page 10, after the figures "\$2,000.00".

And we further agree that the House accede to all other amendments by the Senate.

MUNDY,
HAMMOND,
MAHONEY,

By the Senate.

ARMSTRONG,
HORRIGAN,
BURKE,

By the House.

On motion by Armstrong, duly seconded, the conference committee report on Senate amendments to House Bill No. 106 was adopted by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Beazley, Bjorneby, Blenkner, Burke, Busch, Byrne, Carlson, Castles, Clifford, Cummings, Curran, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Tonn, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 85.

Absent and not voting: Ahern, Antrim, Banka, Beck, Cannon, Cole, Dahlquist, James, Miller, Murray, Parker of Cascade, Rice, Spiegel, Stevens, Toole, Watson, Welcome. Total 17.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 216—Relating to tax levy for purpose of maintaining the department of State Fire Marshal.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

- H. B. No. 222, by Toomey and Ahern.
- H. B. No. 252, by Committee on Military Affairs.
- H. B. No. 298, by Laubach, et al.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Mr. Speaker:

It having come to our notice that the Insurance Department of the State of New York, which is presently examining the Pearl Assurance Company, Ltd., of London, England, has issued a Special Supplemental Report relative to the Montana State fire insurance situation, a copy of which Special Report was furnished to the Montana Insurance Department and received by said Department on February 27, 1941, and which Report is of vital interest to this body and to the people and taxpayers of Montana, we therefore, move you, Mr. Speaker, that this Special Supplemental Report, with all attached exhibits, as formulated by the New York Department of Insurance, be read to this House by the Chief Clerk thereof, and that such Report be referred to the Committee on Insurance of this House for its consideration and for such recommendations as are deemed appropriate under the circumstances.

BYRNE,
ARMSTRONG.

The foregoing motion was duly seconded and carried.

Whereupon the Clerk read a portion of the Special Supplemental Report, and it was moved by Armstrong, duly seconded and carried, that said report and exhibits be considered read at length and the Journal so show. Said report and exhibits are as follows:

STATE OF NEW YORK
INSURANCE DEPARTMENT
New York City Office
80 Centre Street

Louis H. Pink
Superintendent

February 24, 1941.

Dear Commissioner:

I am enclosing herein a copy of a special report on the United States Branch of the Pearl Assurance Company, Ltd., which is presently being examined by this Department. California, Ohio, Massachusetts and Alabama are participating with New York in this examination.

This report is forwarded to you for your information and for such action as you deem necessary. Inasmuch as the acts complained of took place within the State of Montana, it would seem that any proceedings to be taken thereon should be under the laws of your State. We do contemplate, however, having a hearing on the report, here in New York, but before calling it would appreciate receiving your views.

Sincerely,

/s/ LOUIS H. PINK,
Superintendent of Insurance.

Hon. John J. Holmes
Commissioner of Insurance
Helena, Montana

February 7, 1941.

Hon. Louis H. Pink,
Superintendent of Insurance,
Albany, N. Y.

Sir:

The statutory examinations of the United States Branch of the Pearl Assurance Company, Ltd., and its associated companies, the Monarch Fire Insurance Company of Cleveland, and the Eureka-Security Fire and Marine Insurance Company of Cincinnati are being conducted by the New York and Ohio Insurance Department. The State of Alabama, California and Massachusetts are also represented.

During the course of the examination correspondence between Alfred L. Merritt, the former manager of the Pacific Coast Department of the "Pearl Fleet" and C. S. Conklin the former United States Manager of the Pearl Assurance Company, Ltd. and other officers of the group, was examined.

Letters between the Home Office in London and the United States Manager were also read, and by these means and from other sources certain facts have been ascertained which are considered to be of sufficient importance to call to your attention immediately.

Copies of all letters relevant to this report are attached hereto as Exhibit "A".

On August 1, 1934 Alfred L. Merritt was appointed the sole managing agent of the "Pearl Fleet" consisting of the United States Branch of the Pearl Assurance Company, Ltd. and its two associated companies for the Pacific Coast and acted in that capacity until January 31, 1939, when he became United States Manager of the Pearl Assurance Company, Ltd.

On January 24, 1935 the Miller Insurance Agency, a corporation of which Charles E. Miller, Jr., was president, was appointed General Agent of the Pearl Assurance Company, Ltd. for the State of Montana.

In 1935 the Montana State Legislature established a State Insurance Fund for the purpose of insuring property owned by the state and various political sub-divisions thereof. The act creating the State Insurance Fund provided that the liability assumed by the Fund be reinsured in authorized insurance companies.

On June 2, 1935 the Pearl Assurance Company, Ltd., issued policy No. 4,263,441 under which it reinsured all of the insurance contracts issued or to be issued by the State Insurance Fund for a period of three years.

In his letter of July 14, 1937 to Stewart B. Hopps, Pacific Coast Manager Merritt states that obtaining this business for the Pearl Assurance Company, Ltd. was a political undertaking upon the part of General Agent Miller and cost between \$15,000.00 and \$20,000.00. There is no record of any kind regarding this expenditure in either the books of the Pearl Assurance Company, Ltd. or of the Miller Insurance Agency.

Shortly after its establishment, opponents of the State Insurance Fund started a campaign to abolish it and succeeded in having a referendum included in the 1936 election.

The Pearl Assurance Company, Ltd., through the president of its General Agency, Charles E. Miller, Jr., fought the referendum by attempting to influence the voters of the state through articles in a controlled newspaper and by radio addresses and by endeavoring to elect to the State Legislature members who would be favorable to the State Insurance Fund. However, the referendum was carried and the State Insurance Fund was abolished. Thereupon Charles E. Miller, Jr., set about influencing the members of the Montana State Legislature to re-establish the State Insurance Fund and came within one vote of accomplishing his objective.

Upon the abolishment of the State Insurance Fund the policy of the Pearl Assurance Company, Ltd. was cancelled. However, through the influence of Charles E. Miller, Jr., and R. H. Archerd, an employee of the San Francisco Office of the Pearl Assurance Company, Ltd., the property of the State of Montana, formerly covered by the Pearl Assurance Company, Ltd. through reinsurance of the State Insurance Fund, was insured under a direct policy of the Pearl Assurance Company, Ltd. to the State of Montana. Although other reputable insurance companies offered to write this coverage for the State at a rate of 62 cents, the premium secured by the Pearl Assurance Company, Ltd. was 78 cents per hundred dollars of Insurance.

Ordinarily, when a policy covering the same or practically the same objects is cancelled and rewritten, a pro-rata return premium is allowed the assured. In this case, however, the State of Montana in a written agreement, attached hereto, as Exhibit "B", agreed to accept a short rate return premium. The difference between the pro-rata return premium and the short rate return premium amounted to approximately \$40,000.00. In his letter of July 14, 1937 to Stewart B. Hopps, A. L. Merritt says, "If any one wishes to know how and why we have been able to persuade the State of Montana to allow us to retain \$40,000.00 to be devoted to straightening out their own political turmoil, I could not tell them in detail, the answer would have to be in general, the one word—politics—and Montana politics in particular".

Although A. L. Merritt was fully aware of the fact that the State of Montana had signed a written agreement to accept a short rate return premium and that as a matter of fact, the State did accept a short rate return premium, nevertheless, he caused the records of the Pearl Assurance Company to show that such return premium had been made on the pro-rata basis.

The earned premium on the short rate basis was	\$77,049.98
On the pro-rata basis it was	\$37,240.56
Difference	\$39,809.42

The difference of \$39,809.42 represents money belonging to the Pearl Assurance Company, Ltd. which is not accounted for in any manner upon

its records. Actually, this money was allowed to the Miller Insurance Agency by the Pearl Assurance Company, Ltd. to help defray the political expenditures mentioned heretofore. On April 19, 1937, A. L. Merritt wrote to United States Manager Conklin in regard to this contribution, "This was part of the deal with Miller in securing his political influence in negotiating the contract with the State and reimbursing him for a portion of his expenditures in fighting the State Fund referendum". On May 3, 1937 he wrote further as follows, "The difference between short rate and pro-rata has been used to clear Miller's accounts with the Pearl and with me, and every one else that he owed money to, presumably".

As well as we have been able to ascertain \$55,338.97 was spent by Miller in fighting the repeal referendum, in influencing the legislature to re-establish the State Insurance Fund and in procuring the new policy of insurance covering property of the State of Montana. The office of the Pearl Assurance Company, Ltd. in San Francisco and the office of the successor of the Miller Insurance Agency in Helena, Montana were examined by the California Insurance Department and no vouchers were found in either office to support these expenditures.

From information obtained in the San Francisco Office of the Pearl Assurance Company, Ltd. this expenditure was classified as follows.

Paid to Charles E. Miller, Jr.—no further explanation....	\$17,706.89
Paid on account of lease and operation of The Western Progressive, a newspaper circulating in Montana.....	22,048.56
Paid for securing petitions	1,459.63
Paid for political purposes	4,398.87
Paid for advertising State Insurance Fund	4,248.80
Legal expense	2,117.60
Charles E. Miller, Jr., for license for Eureka-Security ("The Eureka-Security is a member of the Pearl Fleet")	1,000.00
Various expenditures—no explanation	2,358.62
Total	\$55,338.97

The funds from which these expenditures were made consisted of premiums collected by the Miller Insurance Agency and not turned over to the Pearl Assurance Company, Ltd. The Miller Insurance Agency was entitled to a percentage of these premiums as commission, but a large portion of the above expenditures was made from money belonging to the Pearl Assurance Company, Ltd.

It appears from the correspondence that A. L. Merritt was not wholly aware of the full extent of Miller's activities until it became necessary to install a company employee in the Miller Insurance Agency to conserve the money belonging to the Pearl Assurance Company, Ltd. It seems probable, however, from an examination of the correspondence that he did know and through him, the United States Manager and the Director of the Company, that Miller procured the State of Montana insurance through his political activity.

SUMMARY

The following facts have been ascertained as a result of this examination:

I—The Pearl Assurance Company, Ltd. through its General Agent, the Miller Insurance Agency, a corporation, acting through its president, Charles E. Miller, Jr. did engage in actions prohibited by the Insurance Law.—to wit: the expenditure, in 1935 and 1936, of sums of money in direct political activity to influence legislation and public officials to the advantage of the Pearl Assurance Company, Ltd. and the disadvantage of the people of the State of Montana.

II—Although these acts were committed by an agent of the company, acting in the beginning without the full knowledge of any responsible offi-

cer of the Company, nevertheless, the acts of the agent must be considered the acts of the company, since upon obtaining full knowledge of the agent's acts, the company did not discharge the agent but condoned his acts and thereafter aided and abetted him. Furthermore, the company has accepted the profit resulting from such illegal acts.

III—By reimbursing the agent for expenditures, illegal for an insurance company, the Pearl Assurance Company, Ltd. has made these expenditures its own.

IV—A responsible official of the Pearl Assurance Company, Ltd., A. L. Merritt, Manager of the Pacific Coast Branch, did cause material false entries affecting cash belonging to the company to be made in its books of account. These false entries were made with deliberate intent for the purpose of concealing the Company's contribution to the illegal expenditures of its General Agent.

V—When informed of the false entries, the United States Manager protested, but nevertheless, the entries were allowed to stand on the books of the company.

VI—The correspondence indicates that the Directors of the Company were cognizant of the facts and had given Alfred L. Merritt authority to handle the situation.

VII—After the commitment of the acts mentioned herein, Alfred L. Merritt was promoted to the position of United States Manager of the Pearl Assurance Company, Ltd.

Section 665 of the Penal Law of New York states that a director, officer, agent, or employee of any corporation or joint stock association who knowingly receives or possesses himself of any of its property otherwise than in payment for a just demand, and with intent to defraud, omits to make or to cause direct to be made, a full and true entry thereof in its books and accounts, or makes or concurs in making any false entry or concurs in omitting to make any material entry in its books or accounts, is guilty of a misdemeanor.

VIII—It will be noted that an item of \$1,000.00 has been listed among the expenditures made by Charles E. Miller, Jr. in 1935 and 1936 as being paid to secure the license for the Eureka-Security Fire and Marine Insurance Company to operate in Montana. However, the first record upon the books of Eureka-Security Fire and Marine Insurance Company for a license to do business in Montana was made in April 1938 and the amount shown as being paid for such license was \$459.00.

IX—Insurance companies are required to keep vital records for a period of at least five years. The company has neglected to obtain and preserve the vouchers covering expenditures of its funds by its general agent, the Miller Insurance Agency.

The above information is submitted for whatever action the Insurance Department considers advisable.

THEODORE M. BANTA,
Theodore M. Banta,
Examiner, State of New York.
HOWELL D. EVANS,
Howell D. Evans,
Examiner, State of Ohio.
DON PIERCE,
Don Pierce,
Examiner, State of Alabama.
ALFRED C. ESCHERICH,
Alfred C. Escherich,
Examiner, State of California.
FREDERICK J. CROKE,
Frederick J. Croke,
Examiner, State of Massachusetts.

EXHIBIT "A"

No. 1

SAN FRANCISCO APRIL 6, 1937

MR. C. S. CONKLIN

UNITED STATES MANAGER,

PEARL ASSURANCE CO. LTD.

80 JOHN STREET NEW YORK CITY NY

NEED APPROVAL CANCEL MONTANA STATE FUND PRO RATE BECAUSE REWRITING STATE SCHEDULE OUTSIDE THE FUND STOP THIS WILL CLEAR WHOLE DEAL OF LEGAL DIFFICULTIES LEAVING PEARL A THREE YEAR CONTRACT FROM DECEMBER SECOND AT BETTER THAN TARIFF RATES BEARING PREMIUM OF SEVENTY SEVEN THOUSAND AND RELIEVING PEARL OF LESS DESIRABLE SCHOOL DISTRICT LINES INCLUDED IN STATE FUND STOP PEARL WILL HAVE ONE HUNDRED FOURTEEN THOUSAND DOLLARS TO SEE THE TRANSACTION THROUGH BEING PRO RATA ALREADY EARNED PLUS ABOVE MENTIONED PREMIUM BESIDES LEAVING US THE DIFFERENCE BETWEEN SHORT RATE AND PRO RATA TO TAKE CARE OF EXPENSES INCURRED BY MILLER AND OURSELVES DURING REFERENDUM AND LEGISLATIVE BATTLES STOP THIS PROPOSAL DEFINITELY ACCEPTED BY STATE OFFICIALS MUCH TO OUR RELIEF STOP DEAL NEGOTIATED BY ARCHERD UNDER MOST ADVERSE CONDITIONS STOP ALTERNATIVE WOULD HAVE BEEN LOSS OF PRESTIGE EXPENSES INCURRED AND PROBABLY LAW SUITS IN STATE COURTS TO COLLECT PRO RATA EARNED UNDER PREVIOUS SETUP BECAUSE OF REPEAL STOP NEVERTHELESS FOR AUDIT REASONS BELIEVE YOU SHOULD CONFIRM AT ONCE.

ALFRED M. MERRITT.

ALM: W

RCA:NL

EXHIBIT "A"

No. 2

April 12, 1937.

Mr. C. S. Conklin,

United States Manager,

Pearl Assurance Company, Ltd.

80 John Street, New York.

Dear Mr. Conklin:

RE: MONTANA STATE FUND

Referring to my night letter of April 6 and your reply of April 7, it is not surprising that you were unable to follow this situation in detail, for it is by far the most involved one that I have yet encountered.

However, I enclose copy of an agreement that I have executed on behalf of the Pearl, together with the Miller Insurance Agency, with the State Board of Examiners of Montana. The making of the Agreement could not wait any longer or the situation would have been lost as far as the Pearl is concerned. My telegram was, therefore, for the records, the same as this further explanation.

Without going too much into detail, after the Montana Legislature adjourned we found ourselves with a potentially bankrupt general agency in the State of Montana by reason of the expense incurred in acquiring and defending this State business. The only way the Pearl could come out whole was by continuing on the line, which at first didn't seem possible. However, through the acumen of R. H. Archerd of this office, it was brought about. Although Charley Miller, our Montana General Agent, did not have political power sufficient to defeat the referendum on the State Insurance Fund, or to put through legislation that would have saved our

situation, he did retain influence with the State Board of Examiners sufficient to accomplish our ends. Without his assistance we could do nothing. Miller, on the other hand, had spent about forty thousand dollars of Pearl money in leasing and operating a newspaper, radio campaign, and other political activities, all without authorization from us or our knowledge, until after the contracts had been entered into.

The thing that I have agreed to in essence means that in order to retire these obligations with which the Pearl was tied in by necessity of the nature of the whole campaign, we are collecting the short rate cancellation under the defunct State Fund policy and applying a pro rata portion of that money to a new policy for the State of Montana. The difference of approximately forty thousand dollars between short rate and pro rata, retired the obligations incurred by Miller, preserving the credit and general reputation of the Pearl as well as its Montana and Pacific Coast representatives.

Charles Miller has been retired from the management of the Miller Insurance Agency, which hence forth will be operated by Messrs. Dotson and Smith under the old name. We have taken over their agency remittances direct to this office and scheduled a plan of payment which eventually will liquidate their debts and allow our business in the State to continue to be developed in an orderly fashion.

The alternative would have been a bad debt account which the Pearl would have had to mark off eventually as a delinquent balance, and it would have been considerably greater than the amount handled in this way because it would have also included amounts owed by the Miller General Agency to your Managing agent. Miller was willing to lend his aid in order to clear his local debts and keep faith with certain important local people. However, he is henceforth to be engaged in the cattle business, which perhaps is just as well for the insurance business.

Mr. Archerd was in Montana working out the deal, and having secured the backing of the Attorney General in convincing the Commission that their obligation to the Pearl was to go through with the State Insurance Contract irrespective of the politics involved, I gave my consent by telephone to the execution of the Contract, knowing the changeable attitude of politicians and the weakness of our position where the temperamental Charley Miller was involved; also because I had reason to believe that Miller at one time had led the State Fund to believe that any cancellation on our reinsurance contract would be on a pro rata, rather than a short rate basis, and I am not now certain that such a letter is not in their files. If that is true we have given nothing away that we ever had, and also, irrespective of that point, we are coming out of the situation in very fine shape indeed. The nine million dollar schedule that we retain is the best business in the State, on which the Board rate is sixty cents plus ten cents for the Fallen Building Clause Waiver. We are securing a rate of seventy-eight cents on this schedule without any supplementary coverages involved. The relatively high rate obtained under the Fund was loaded to take care of supplemental coverages and the more hazardous school and municipal schedules.

I wish to draw your attention to the fact that there are two payments yet to be made on this new policy. The first, of twenty thousand dollars, in July of 1937, will undoubtedly be promptly made because the State Fund will have that amount on hand; but the further payment of \$24,283.80, to be made in July, 1938, will have to be allowed to go over December 31, 1937 as an overdue account. The State Fund will, on that date, be able to make the payment, but are unable to anticipate it. However, on State business this is not an unusual situation and we will always be in the clear should any hitch occur so that our full earned premium will at all times be in hand.

As stated before I would like your approval for audit purposes. The situation developed unexpectedly and so rapidly that it was not safe to delay and it would have been a crime to endanger the very valuable agency plant of the Pearl by allowing Miller's situation to become known. This

arrangement has the virtue of keeping our internal troubles to ourselves.

Yours very truly,

Manager.

ALM:W

encl—

AIR MAIL

CC to Mr. Hopps

EXHIBIT "A"

No. 3

April 19, 1937.

CONFIRMATION

Mr. C. S. Conklin
United States Manager
Pearl Assurance Co. Ltd.
80 John Street, New York

Dear Sir:

Replying to your letter of April 15, we are not certain that we have made ourselves clear as to how we have handled the entries for the Montana State Fund business.

At the time the Governor certified to the repeal of the State Fund Law on December 2, the Attorney General of the State issued an opinion that all liability under the Montana State Fund ceased as of that date. We accordingly entered in our December 1936 account, a pro rata cancellation of the Montana State Fund reinsurance. Subsequently a new Attorney General gave an opinion to the effect that Montana State Fund certificates were still in force.

In the meantime the Legislature convened and we deemed it unwise to make any move until the session had closed. This session failed either to clarify the law or to appropriate funds to pay the balance due the Company if the reinsurance was to continue in force. You will therefore note that the contract entered into with the State clarifies the status of the Company's liability and that while the Miller Insurance Agency is collecting the short rate earned premium under the State Fund Reinsurance, by virtue of this agreement we allowed the cancellation to stand on our books on a pro rata basis, as entered in our December account. This was part of the deal with Miller in securing his political influence in negotiating the contract with the State and reimbursing him for a portion of his expenditures in fighting the State Fund referendum. Actually, if the matter was brought into court prior to the signing of this contract we believe the cancellation would have had to stand on a pro rata basis and as advised, we are, therefore, giving nothing away.

Although we have previously stated that the difference between pro rata and short rate cancellation of this line was in the neighborhood of forty thousand dollars, actually to the Pearl the difference amounts to about half of that, or twenty thousand dollars inasmuch as the Miller General Agency's commission of forty per cent, plus our overriding of ten per cent, must be deducted.

We assume from the third paragraph of your letter that the entries you are speaking about are in reference to the entering of the new State of Montana policy, due to the fact that twenty-four thousand dollars of this premium will not be paid until July 1938. As you will note, all entries have been made on our books. The twenty thousand dollar payment should be received in July, 1937, before the April 1937 entry of the new premium becomes delinquent, and although our books will actually then show a delinquent balance of twenty-four thousand dollars, we have some doubt as to whether this will have to be shown as an overdue balance on our statement, due to the signed contract with the State of Montana and the fact that at all times we will have more than a short rate earned premium collected.

The State fund policy earned, on a pro rata basis, \$37,240.56, and the losses incurred were \$9,567.47. That transaction yields a handsome profit to the Pearl, irrespective of the costs that were attached to securing it. The new policy represents the best classification, from an underwriting standpoint, formerly written under the Fund Reinsurance, and we are getting more rate than the previously established rate by former carriers.

We trust that this explanation will be entirely clear to you.

Very truly yours,

Manager.

ALM: W
AIR MAIL

EXHIBIT "A"

No. 4

CONFIRMATION

May 3, 1937.

Mr. C. S. Conklin
United States Manager
Pearl Assurance Company, Ltd.
80 John Street, New York

Dear Mr. Conklin:

Re: State of Montana

I have yours of April 30 on the above subject, and it seems likely that I have not yet made myself clear in some respects.

You ask me to "send a detailed statement of all the obligations incurred by Miller which I am proposing to pay from Company funds."

The Miller Insurance Agency is a corporation acting as a State General Agency, and I am not proposing to pay nor have I paid any of his obligations. Miller paid his own obligations without asking our consent, and without our knowledge, and in considerably greater amount than forty thousand odd dollars that are represented in this particular matter. Whether or not Miller could or would furnish these details, is beside the point. I could not require it, certainly. The agency was not a trusteeship running to me at any time. I merely sent a bookkeeper up there and took the check-signing privilege away from Miller, wholly with his consent and cooperation in order to preserve the business and the situation. The debts were either paid or incurred by that time. Nor is the use of the expression "from Company funds" quite right, although reading my letter would superficially make it seem so. These obligations incurred by Miller were paid out of funds that were general agency money, in which he as general agent had an interest, I as managing agent had an interest, and the Pearl had an interest.

On the other hand, we had collected from Miller, and Miller in turn from the State of Montana, one hundred and ten thousand dollars under a policy authorized by an act of legislature subsequently declared invalid by referendum, and we were faced with the possibility of having to return all of this money if the act were invalid ab initio. The most that we could reasonably hope to get out of it was the pro rata cancellation up to December 2. We re-wrote the line as of December 2 for a term of three years under the signed Agreement, copy of which I sent you, and allowed a pro rata cancellation on the Fund policy.

The difference between short rate and pro rata has been used to clear Miller's accounts with the Pearl and with me, and everyone else that he owed money to, presumably. That difference was never the Pearl's money, although we were temporarily custodians of it. If we had attempted to sue for a short rate earned premium under that policy, the most we could have gotten would have been a pro rata cancellation. The worst would have been a requirement to turn back the entire one hundred and ten thousand dollars and then try to recover accumulated losses of about nine thousand dollars.

I think you will agree that under the conditions, a truer statement of the situation would have been that the State of Montana, by this Agreement, allowed us to retain that short rate difference and that difference had been applied to taking care of part of the expense of defending, unsuccessfully, the first contract and securing the validation of the second one, which is now in existence.

Under these conditions you may question why I ever thought it necessary or in order to ask for your approval because I was clearly within my contractual rights in handling the situation in this way. Nevertheless it was a large and unusual transaction and I wanted a full explanation of it to be promptly available because our assured under the first policy was the Insurance Fund of the State of Montana, under the second policy it is the State of Montana—in a legal sense two different assureds, and further, while the property insured is the same property under the second policy that was insured under the first, nevertheless the first embraces some elements that are not present in the second. Inasmuch as the State Fund allowed the municipalities and school districts in the State, if they saw fit to do so, to buy their insurance from the State Fund, a few of them did so, paying the premium into the Fund from which we in turn collected.

We believe that Miller's expenditures on this line run more closely to sixty thousand dollars than the forty thousand that we have been talking about, and please do not overlook the point that without Miller's help, we would not have been able to secure the signed Agreement of the State of Montana Commission to allow us to take credit for that difference.

As I have said before, we have come out of the deal with the business we were after, on a fine basis, and everyone is satisfied, even including Miller, in spite of his losses in the transaction, the only concession necessary being your consent to consider the first policy subject to pro rata in view of the re-writing under the second, where the property insured is the same and under the same ownership, but shorn of some State and County business that was eligible to come in under the first contract. The alternative would have been as I said, losing the business to the opposition and having a bad agency account to charge off in the end.

Yours very truly,

Manager.

ALM:W
AIR MAIL

EXHIBIT "A"

No. 5

CONFIRMATION
AIR MAIL

May 7, 1937.

Mr. A. L. Merritt, Manager,
Pearl Assurance Company, Ltd.,
200 Bush Street
San Francisco, Calif.

Dear Mr. Merritt:

STATE OF MONTANA

This will acknowledge your letter of May 3 under the above caption and we wish to thank you for your further explanation regarding this situation.

Perhaps we have not made ourselves entirely clear and therefore wish to refer you to our letter of April 15 on this subject in which we plainly stated that as the case is closed and you wish our approval for audit purposes only, we are conferring with our auditors, Froggatt & Co., Inc., in respect of the proper bookkeeping entries. Unless we know the facts and figures, it is obvious that neither our auditors nor ourselves are enabled to determine what entries on our books are necessary to reflect the transaction correctly. As we understand the transaction, you are proposing to charge

the company with a pro rata return premium on the Montana State Fund business, while on the other hand you are actually paying or crediting this return premium to the assured on a short rate basis, the difference between pro rata and short rate return premium being retained or paid to Mr. Miller or the Miller Insurance Agency in order to assist the individual or the agency in liquidating certain indebtedness. Obviously our books will not reflect the true situation if we enter a return premium on a pro rata basis and pay the assured on a short rate basis without some entry or entries to account for the difference. Our mind cannot get away from the thought that what you are suggesting is not the proper way to record the transactions on our books. It seems to us that the return premium should be entered on a short rate basis which would be in accord with the credit allowed the Montana State Fund and the contribution to Miller or the Miller Insurance Agency should be charged off as an expense or bad debt. Of course, this would be on a net basis as far as return premium is concerned and necessitate a credit from the Miller Insurance Agency for their General Agency commission as well as a credit for your overriding commission on the difference between short rate and pro rata return premium.

It all seems so complicated that perhaps we do not follow you and that in turn you are unable to follow us. The point to be kept in mind, however, is that our books must reflect the actual facts; otherwise, we could not lend our approval and we feel confident our auditors would not pass.

Very truly yours,

(Sgd) C. S. CONKLIN,
U. S. Manager.

nck

EXHIBIT "A"

No. 7

C. E. HEATH & CO., LIMITED
BANKSIDE HOUSE
107-112 LEADENHALL STREET
LONDON, E. C. 3

28th June, 1937.

Your ref. SBH/FL
Our ref. WLI/FF

Mr. Georges C. Stevens,
80, John Street,
New York City,
U.S.A.

Dear Sir:

We are in receipt of your favour of the 3rd instant concerning the special handling of the line of the Montana State Insurance Fund and have duly explained the position to certain of the more important Underwriters interested on your reinsurance treaties.

Whilst they appreciate that you undoubtedly acted in your and their best interests in permitting this risk to be handled in the manner outlined in your letter, they nevertheless feel—in view of the size of the premium involved coupled with the exceptional circumstances of the case—that they should be advised on the following points:

- (a) What would your full term premium have been?
- (b) What would the Miller Insurance Agency's commission on such full term premium have been?
- (c) What is the amount of your pro rata premium?
- (d) What amount of premium have the Miller Insurance Agency collected on a short rate basis?

Also, in view of the apparent uncertain financial condition of the Miller Insurance Agency, Underwriters would be interested to learn if you have decided to terminate your connection with this particular concern or whether you still propose doing business with them.

Although we regret having to trouble you further, we nevertheless trust that you will in due course furnish us with the information requested so as to enable us to dispose of this matter with Underwriters.

Yours truly,

C. E. HEATH & CO., LIMITED,
(Sgd) Signature illegible

EXHIBIT "A"

No. 8

July 6, 1937.

Mr. A. L. Merritt,
California
Stewart B. Hopps

Dear Al:

I am enclosing herewith copy of letter received from C. L. Heath and Company relative to our explanation of the special handling of the Montana State Fund's cancellation.

Will you please be kind enough to give me sufficient data to answer Heath's query?

You already have a copy of the letter I sent to them.

Very truly yours,

SBH:FL

EXHIBIT "A"

No. 9

San Francisco, July 12, 1937.

PEARL ASSURANCE CONKLIN
80 JOHN STREET
NEW YORK

WIRE FROM JUDGE FORD AT HELENA SAYS SUPREME COURT DECISION TODAY COMPLETE VICTORY FOR US STOP ASSUME THIS MEANS STATE FUND DECLARED DEAD AS OF DECEMBER SECOND THIRTY SIX AND TERMS OF OUR THREE YEAR POLICY WITH STATE MUST BE CARRIED OUT STOP DECISION WILL PROBABLY ALSO SOFTEN COMMISSIONERS ATTITUDE ON LICENSE MATTERS ALTHOUGH I AM NOT SURE ON THIS POINT.

ALFRED L. MERRITT.

ALM:NP
61 words
NL:RCA
4:45 p.m.

EXHIBIT "A"

No. 10

July 14, 1937.

Mr. Stewart B. Hopps
Pearl Assurance Co. Ltd.
80 John Street New York

Dear Stewart:

I have your letter of July 6th in which you enclose a copy of letter received by you from C. E. Heath & Co. Ltd. dated June 28th in which they

seek more information regarding the handling of the Montana State Insurance.

The answers to the specific questions they ask are as follows:—

- (a) What would your full term premium have been?

Answer: \$195,789.73.

- (b) What would the Miller Insurance Agency's commission on such full term premium have been?

Answer: 40% or \$78,315.89.

- (c) What is the amount of your pro rata premium?

Answer: \$37,240.56.

- (d) What amount of premium have the Miller Insurance Agency collected on a short rate basis?

Answer: \$77,049.98.

They also inquire whether we are continuing to do business with the Miller Insurance Agency in reply to which I would explain that the Miller Insurance Agency is a corporation and that Charles Miller, who formerly controlled the corporation, has retired from the business, selling his stock to Dotson & Smith, formerly minority stockholders but actively engaged in the operation of the general agency. Miller's retirement leaves the general agency in better condition than otherwise and there is no fault to be found with Dotson & Smith in any of the difficulties that the general agency encountered.

The Miller Insurance Agency is at present operating on a satisfactory basis, although because of its slender financial surplus we have, for the time being taken charge of all agency collections direct from this office. There is a valuable agency plant in the State of Montana at stake and we have done this as a necessary precaution against any imprudence or over expansion on their part. Charles Miller is now wholly engaged in the cattle business, as you know.

On the same day on which your letter arrived I received word of the decision of the Montana Supreme Court which definitely and finally settles this whole question in our favor. For the first time I can now discuss this subject in terms of fact instead of what we hope to accomplish. The story is so long and so involved that it is hopeless to try to convey it in all its details.

Being a public or state schedule it was necessarily a political undertaking on the part of Charles Miller, conceived as a result of the State of Montana deciding to establish an insurance fund and seeking reinsurance of that fund. The enemies of the State Insurance Act initiated a recall referendum and Miller, who had already spent some fifteen or twenty thousand dollars in lining up the business, elected to attempt the defeat of the referendum measure. Then, after failing in that, came within one vote of influencing the State Legislature, which acted last January, to re-establish the Fund in spite of the successful referendum against it.

I have in my file details of expenditures totalling more than \$55,000 and I understand that even this is not the entire amount. The outstanding items were for radio time, the purchase of a newspaper and the subsidizing of other newspapers, and a large sum that appears from time to time simply marked "personal expense."

As soon as we learned the dangerously deep water he was getting into we immediately took action to gain control of the financial outlay and installed our own comptroller in the Miller Agency. This did not at once stop the expenditures because Miller had already entered into certain contracts that had to be either compromised or carried out.

However, it must be said in his favor that however headstrong in his original undertaking, Miller cooperated with us throughout, and the recent decision of the Supreme Court bears out the correctness of the position he

sought to sustain. Furthermore, after the failure of his effort to get the Legislature to re-establish the State Fund and the entire effort and expenditure seemed lost, we were able with his assistance to secure the now existing and validated contract (by the Supreme Court decision) with the State of Montana for the continuance of the Pearl on the State business for a period of three years from December last.

The net result is that instead of collecting a premium of \$195,000 consisting of State owned plus county and school district owned properties, we collected \$110,000 of which only \$37,000 could have been retained after the State Fund project had been killed by referendum. However, Miller was sufficiently astute, pending the fate of the State Fund project, to place an underlying policy with the State the terms of which made it effective only if and when the State Fund reinsurance policy should be declared void.

The latter policy excluded county, school and municipal values and was therefore in somewhat less amount and at a different rate, being a nine million dollar schedule written at a rate of 78c. This policy became effective as of December 2nd, taking up the protection of State property where the reinsurance State Fund left off, and it was not until May of this year that a formal contract with the State Board of Control was negotiated with the help of Charles Miller, definitely agreeing to the continuance of that coverage for the three year term on the basis of applying the short rate return premium portion of the \$110,000 collected from the State of Montana on the cancelled reinsurance fund policy to apply on the new, the State to pay an additional \$44,000.

I think, if it is possible for you to follow the above story in its course, that this entire transaction should properly be regarded as one operation. It was only because there were two policies of insurance involved and that one of these was a reinsurance of the State Fund while the succeeding policy was insuring the State of Montana on a direct basis that I felt it obligatory to call the attention of the Pearl management to the transaction. If we had had to go to court on the matter we could not have hoped to retain more than a pro rata under the reinsurance of the State Fund, but we were able to persuade the Montana commissioners by virtue of the new contract to allow us to retain what amounts to a short rate on that policy and to pay \$44,000 in addition for the continued protection.

As I have pointed out, a pro rata cancellation where the line is re-written in major part is always in order and is every day practice. In view of the expenses that had to be met in the whole operation, however, we were able to persuade the State of Montana to allow us to retain that difference over and above the ordinary rate we would charge for the protection of the State property for the three year term. That difference amounted to about \$40,000 and has been devoted to retiring most of the obligations incurred by Charles Miller, and keeping the Miller General Agency in solvent condition.

Some confusion of thought has been caused on this matter because of the use by Mr. Conklin of the expression "from Company Funds" in referring to the retirement of Miller's obligations in this manner. In this connection I want to emphasize that in no sense could these ever have been considered Company funds even though we were custodians of this \$110,000 on the reinsurance Fund account. We could have been compelled to return all but \$37,000 of this had we not been successful in our efforts.

If anyone wishes to know how and why we have been able to persuade the State of Montana to allow us to retain \$40,000 to be devoted to straightening out their own political turmoil, I could not tell them in detail, the answer would have to be in general, the one word—politics—and MONTANA politics in particular. We still have counsel fees to pay in an unknown amount, perhaps \$1,000 or \$1,500.

So now the war is over we have secured the business of the State of Montana for a three year term from December 2, 1936 at a premium of ap-

proximately \$154,000. The accumulated losses on the more than one year that we have carried this business, both under the Fund and under the present policy, have amounted to about \$9,000, and besides being a good piece of business we feel thoroughly and definitely justified in everything done in connection with it and have the satisfaction of giving the Board and its political cohorts in Montana a first class licking.

It might interest you to know that coincidental with the filing of their suit to defeat our purposes, three companies which, I believe, were the Hartford, the Continental and the North America, proffered their policies in lieu of the Pearl policy to the State at a rate of 62c against the 78c which we secured. This fact was cited by our counsel in his brief to the Supreme Court intended to prejudice them against allowing the Pearl contract to continue at the higher rate.

Trusting that this will serve your purposes, I am

Sincerely yours,

Manager.

ALM:NP
AIRMAIL

EXHIBIT "A"

No. 11

Your Ref: WLI:FF
July 16, 1937.

C. E. Heath & Co. Ltd.
107 Leadenhall Street
London, E. C. 3

Gentlemen:

In response to your letter of June 28th relative to more information on the Montana State Fund Insurance, I am pleased to enclose copy of letter received from our Pacific Coast Manager giving you the detailed answers, and also, a further explanation of the situation.

Very truly yours,

STEVENS & HOPPS U. S. GENERAL AGENTS,
By:

SBH:FL

EXHIBIT "A"

No. 12

San Francisco Dec. 6, 1937

PERSONAL
STEWART B HOPPS
PEARL ASSURANCE CO. LTD
80 JOHN STREET NEW YORK

MILLERS STATEMENT CORRECT AS HE HOPELESSLY INVOLVED PERSONALLY AND MILLER INSURANCE AGENCY CLOSED OUT OWING FEDERAL TAXES OVER FIFTEEN THOUSAND NO ASSETS. HOWEVER WE HAVE COLLECTED TWELVE THOUSAND EIGHT HUNDRED FIFTY TWO DOLLARS UNDER AUGUST THIRTY-SIX AGREEMENT BUT TO AVOID DECEMBER 31 DELINQUENT CARRY OVER USED THIS MONEY TO PAY TO PEARL ITS NET BALANCE OF STATE PREMIUM COLLECTIBLE JULY THIRTY EIGHT. THEREFORE AT PRESENT MILLER HAS DISCHARGED HIS DEBT TO YOU BY ASSIGNING THESE COLLECTIONS TO US WHICH WE HAVE SET UP ON OUR BOOKS AS TRUST ACCOUNT AND CONSIDER PAYABLE WHEN STATE PAYS PREMIUM NEXT YEAR. EXPECT REALIZE FURTHER COLLECTIONS FROM PRESENT GENERAL AGENTS

WHO SUCCEEDED MILLER INSURANCE AGENCY. THINK FURTHER DISCUSSION SHOULD WAIT MY ARRIVAL NEW YORK SATURDAY. PLEASE MAKE RESERVATION FOR ME WHEREVER MELL GALLAGHER ARE WHICH I ASSUME IS CHATHAM. LEAVING STREAM-LINER WEDNESDAY HAVE ADVISED CONKLIN AND AUSTIN.

A. L. MERRITT

ALM:NP

143 words

dl:RCA

12:00am

Chge. Pearl Assce. Co. Ltd. 200 Bush St.

EXHIBIT "A"

No. 13

No. 2163

The Managing Director,
Pearl Assurance Company, Ltd.,
London, W. C. I.

June 21, 1937

Dear Sir:

Montana Situation

Referring to previous correspondence under the above caption and also reminding you that when the Directors were in New York authority was given to Mr. A. L. Merritt to handle this situation and see that the interests of the Pearl and Eureka were fully protected. We now beg to enclose for your information copy of letter received from Mr. Merritt under date of the 16th June together with copy of our reply, all of which is self explanatory.

When we receive further information from Mr. Merritt we will promptly communicate with you.

Yours faithfully,

U. S. Manager.

k
enc

EXHIBIT "B"

AGREEMENT

THIS AGREEMENT made and entered into this 15th day of March, 1937, by and between the STATE OF MONTANA, acting by and through its duly elected, qualified and acting STATE BOARD OF EXAMINERS, hereinafter called the party of the first part, and PEARL ASSURANCE COMPANY, LTD., a foreign corporation, duly licensed and qualified to do business in the State of Montana, through R. H. ARCHERD, its attorney in fact, and MILLER INSURANCE AGENCY, a corporation, its agent, the party of the second part,

WITNESSETH:

THAT WHEREAS, the Twenty-Fourth Legislative Assembly of the State of Montana enacted what is commonly known as the State Insurance Law, being Chapter 179, Laws of 1935, and

WHEREAS, the State Board of Examiners pursuant to authority contained in said State Insurance Law did make and enter into a contract of reinsurance with the party of the second part, wherein and whereby the State of Montana and/or the State Insurance Fund was reinsured against any and

all losses on policies issued by the State of Montana, and/or the State Insurance Fund under the provisions of said Chapter 179, and

WHEREAS, the State Board of Examiners for the purpose of protecting the property owned by the State of Montana, against direct loss by fire and other hazards purchased an underlying policy of insurance from said party of the second part, said policy to protect the State of Montana, against direct loss by fire and other hazards in the event the said State Insurance Law, Chapter 179, was declared unconstitutional or the said contract of reinsurance held illegal, and

WHEREAS, said Chapter 179 was referred to the people of the State of Montana by referendum petition and was submitted to the voters of said state at the general election held on November 3, 1936, and thereafter the vote on said measure was canvassed by the State Canvassing Board of the State of Montana, and its certificate and findings of December 2, 1936, determined and found that the people of the State of Montana, had not approved said State Insurance Law, Chapter 179, Laws of 1935, and thereafter and on the same date the Governor of the State of Montana issued his Proclamation declaring that said law had not been approved by the people of the State of Montana at said general election, and

WHEREAS, under the terms and provisions of said contract of reinsurance aforesaid it was and is provided that in the event said contract should be cancelled by the State of Montana, for any reason, then and in that event the said party of the second part should base its premium charges upon the short term rate, and

WHEREAS, the said party of the second part has fully complied with all the terms and provisions of said contract of reinsurance and has done and performed all acts and things required of it to be done, kept and performed, and

WHEREAS, since the 2nd day of December, 1936, the said party of the second part has kept, done and performed all acts and things required of it to be done, kept and performed, under the provisions of said underlying policy of insurance, and

WHEREAS, as a result of the conditions and things aforesaid, great confusion has existed and does now exist and it is the desire of the parties to adjust and settle all questions that have arisen or which may arise as a result of the facts aforesaid, and

WHEREAS, the said party of the first part has requested the said party of the second part to cancel said reinsurance contract as of December 2, 1936, and the said party of the second part has agreed to grant such request;

NOW, THEREFORE, for and in consideration of the covenants and conditions to be kept and performed by the parties hereto, it is mutually agreed and understood as follows: to-wit:

1. That the said party of the second part upon the execution and delivery of this agreement will cancel and terminate said Pearl Assurance Company policy No. 4263441 reinsuring the State of Montana, and/or the State Insurance Fund as of December 2, 1936.

2. That the earned premium under said policy to December 2, 1936, is mutually understood and agreed to be \$77,049.98, computed upon the following basis: Eighty per cent (80%) of \$96,312.38.

3. That the term of Pearl Assurance Company policy No. 4269398 is hereby expressly agreed to be from December 2, 1936, to December 2, 1939, in the amount of insurance of \$9,969,695.00, the premium rate \$0.78 per \$100.00 and the total premium thereon \$77,763.64.

4. It is expressly understood and agreed that said contract last aforesaid is hereby ratified and accepted by the party of the first part.

5. The said party of the second part hereby acknowledges that it has received payment of the sum of \$110,529.82 under policy and reinsurance No. 4263441, and it is agreed that the earned premium was and is \$77,049.98, and that the balance of \$33,479.84 shall be credited toward the payment of the premium on Policy 4269398, leaving a balance due on said premium of \$44,283.80 under said policy No. 4269398 and the said party of the first part expressly agrees to pay to the said party of the second part the said sum of \$44,283.80 as follows: \$20,000.00 in July, 1937, and \$24,283.80 in July, 1938.

6. The party of the second part expressly agrees to pay all losses under policy No. 4263441 incurred prior to December 2, 1936, and it is mutually agreed that all liability under said policy shall cease as of that date.

7. It is understood and agreed that all losses incurred on State property for hazards enumerated in said Policy No. 4269398 on or after December 2, 1936, shall be paid by the party of the second part under said policy.

8. It is agreed that any and all losses on State property which have been incurred subsequent to December 2, 1936, and paid under Policy No. 4263441 are hereby transferred as having been paid under Policy No. 4269398.

IN WITNESS WHEREOF the State of Montana has caused these presents to be executed by its Board of Examiners, and the party of the second part has caused these presents to be executed by its attorney in fact and its agent thereunto duly authorized the day and year first above written.

THE STATE OF MONTANA.

(Signed)

By HARRISON J. FREEBOURN

SAM W. MITCHELL

State Board of Examiners of the
State of Montana.

ATTEST:

W. J. FITZIMMOND,
Clerk.

PEARL ASSURANCE COMPANY,
LTD.

(Signed)

By R. H. ARCHERD,

Its Attorney in Fact.

MILLER INSURANCE COMPANY.

(Signed)

By C. E. MILLER, JR.

President.

HOUSE RESOLUTION NO. 2

Introduced by Parker of Flathead, Kemmis, Byrne, Castles, Winters, Hess, James, Nelson, Beck, Zuck.

A Resolution directing the law enforcement officers of the State of Montana and of its several counties to proceed to enforce the provisions of the Montana Statutes which forbid gambling enterprises of various sorts and to keep such statutes continuously enforced.

WHEREAS, the Attorney General of the State of Montana has officially and publicly indicated that he will do all in his power to help enforce the anti-gambling laws of the state; and

WHEREAS, various accusations have been made in our Legislative halls, to the effect that gambling is widely and openly conducted in the State of Montana, such accusations probably being well founded;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF

REPRESENTATIVES OF THE STATE OF MONTANA, that we hereby request and advise all law enforcement officers of the State of Montana and its several counties, to proceed to enforce, and to keep continuously enforced, the provisions of the Montana Statutes, which forbid gambling enterprises of various sorts.

BE IT FURTHER RESOLVED, that if a condition of open gambling is found to exist when the Legislature convenes in 1943, that it is the opinion of the House of Representatives of the Twenty-seventh Legislative Assembly, that proceedings should then be started and prosecuted to the full extent permitted by law, against any and all enforcement officers who are found negligent in their law enforcement duty.

BE IT FURTHER RESOLVED, that we commend the recent action of our Attorney General in directing all law enforcement officers to proceed with the enforcement of the anti-gambling laws.

It was moved by Parker of Flathead, duly seconded, that the foregoing resolution be adopted.

On substitute motion, it was moved by O'Connor, duly seconded and carried, that said resolution be referred to the Committee on Judiciary.

It was moved by Dillavou, duly seconded, that the House reconsider the action taken yesterday in adopting conference committee report on Senate Amendments to Substitute House Bill No. 337.

A roll call, to be entered in the Journal, was requested by the required number, and motion by Dillavou carried by the following vote:

Ayes: Ahern, Anderson, Antrim, Armstrong, Aronson, Banka, Beazley, Beck, Bjerneby, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Tonn, Tyler, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 75.

Noes: Allen, Ballard, Eggenberger, Esp, Horrigan, Hunter, Kemmis, Kirscher, Lehrkind, Morrow, O'Brien, O'Connor, Scofield, Toomey. Total 14.

Absent and not voting: Anson, Blenkner, Clifford, Cole, James, Martin of Madison, Miller, Murray, Rice, Toole, Watson, Welcome, Zuck. Total 13.

It was moved by Dillavou, duly seconded and carried, that the conference committee report on Senate Amendments to Substitute House Bill No. 337 be rejected and that the conference committee be discharged, and that a new conference committee be appointed and a like committee requested from the Senate.

REPORTS OF STANDING COMMITTEES

Mr. President and Mr. Speaker:

We, your Conference Committee having had under consideration House amendments to Senate Bill No. 77, beg leave to report as follows:

That the House recedes from all House amendments.

MAHONEY,
WEINSCHROTT,
McQUITY,

For the Senate.

BJORNEBY,
NELSON,
OLIVER,

For the House.

On motion by Bjorneby, duly seconded, conference committee report on House Amendments to Senate Bill No. 77 was adopted by the following vote:

Ayes: Allen, Anderson, Anson, Aronson, Ballard, Beazley, Beck, Bjorneby, Busch, Byrne, Carlson, Castles, Cummings, Dougherty, Eggenberger, Esp, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Harken, Harrison, Holding, Hess, Horrigan, Hunter, Kemmis, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Fergus, Mernin, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Petersen, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Tonn, Toomey, Vanek, Williams, Wilson, Winters, Mr. Speaker. Total 62.

Noes: Curran, Spiegel. Total 2.

Absent and not voting: Ahern, Antrim, Armstrong, Banka, Blenkner, Burke, Cannon, Clifford, Cole, Dahlquist, Davey, Dillavou, Fewkes, Hageman, Hammond, Hazelbaker, James, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Martin of Madison, Miller, Morrow, Murray, Nash, O'Connor, Parker of Flathead, Parker of Cascade, Phelan, Rice, Toole, Tyler, Watson, Welcome, White, Zuck. Total 38.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 111 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Aronson, Ballard, Beck, Bjorneby, Cannon, Castles, Cummings, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Holding, Hunter, Kemmis, LaBonte, Lippard, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Petersen, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toomey, Vanek, White, Williams, Wilson, Mr. Speaker. Total 62.

Noes: Curran. Total 1.

Absent and not voting: Antrim, Armstrong, Banka, Beazley, Blenkner, Burke, Busch, Byrne, Carlson, Clifford, Cole, Dahlquist, Dougherty, Forbregd, Hammond, Harrison, Hazelbaker, Hess, Horrigan, James, Kirscher, Laubach, Lehrkind, McMichael, Mernin, Miller, Morrow, Murray, Parker of Flathead, Parker of Cascade, Phelan, Rice, Tonn, Toole, Tyler, Watson, Welcome, Winters, Zuck. Total 39.

Senate Bill No. 126 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Eggenberger, Esp, Fewkes, Flook, Freshman, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Harken, Harrison, Holding, Hunter, Kemmis, LaBonte, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, White, Williams, Wilson, Winters, Mr. Speaker. Total 66.

Absent and not voting: Antrim, Beazley, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Clifford, Cole, Dougherty, Forbregd, Ham-

mond, Hazelbaker, Hess, Horrigan, James, Kirscher, Laubach, Lehrkind, Lynch, McMichael, Mernin, Miller, Morrow, Murray, Nash, Parker of Flathead, Parker of Cascade, Rice, Toole, Tyler, Vanek, Watson, Welcome, Zuck. Total 36.

Senate Bill No. 125 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Aronson, Ballard, Banka, Beck, Bjorneby, Byrne, Cannon, Castles, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Goodwin, Green, Hageman, Harken, Harrison, Holding, Hess, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Tonn, Toomey, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 71.

Absent and not voting: Anson, Antrim, Beazley, Blenkner, Burke, Busch, Carlson, Clifford, Cole, Freshman, Gebhardt, Gunderson, Hammond, Hazelbaker, James, Laubach, Lippard, Lynch, McMichael, Miller, Morrow, Murray, Nash, O'Connor, Parker of Cascade, Rice, Toole, Tyler, Watson, Welcome, Zuck. Total 31.

Senate Substitute for House Bill 119 was concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Aronson, Ballard, Banka, Beck, Bjorneby, Byrne, Cannon, Castles, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Horrigan, Hunter, Kemmis, Kirscher, LaBonte, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Morrow, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Mr. Speaker. Total 74.

Noes: Curran. Total 1.

Absent and not voting: Anson, Antrim, Beazley, Blenkner, Burke, Busch, Carlson, Clifford, Cole, Cummings, Flook, Gunderson, Hageman, James, Laubach, Lippard, Lynch, Mernin, Miller, Murray, Nash, Rice, Tonn, Toole, Watson, Welcome, Zuck. Total 27.

The Speaker appointed the following conference committee to act with a like committee from the Senate on Senate Amendments to Substitute House Bill No. 337: Kirscher, Cannon and Morrow.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Holding in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following recommend:

That Senate Amendments to House Bills Nos. 114 and 204 be concurred in;

That Senate Amendments to Substitute House Bill No. 9 be not concurred in and that a conference committee be appointed by the House and a like committee be requested from the Senate;

That Senate Amendments to House Bills Nos. 256 and 346 be concurred in;

That Senate Amendments to House Bill No. 349 be not concurred in and that a conference committee be appointed by the House and a like committee be requested from the Senate;

That Senate Amendments to House Bill No. 183 be not concurred in and that a conference committee be appointed by the House and a like committee be requested from the Senate;

That Senate Amendments to House Bill No. 391 be concurred in;

That Senate Amendments to House Bill No. 175 be not concurred in and that a conference committee be appointed by the House and a like committee be requested from the Senate;

That Senate Amendments to House Bill No. 298 be concurred in;

That House Bill No. 252 be referred to the Enrolling Committee for enrollment.

That Senate Amendments to House Bill No. 222 be concurred in;

That Senate Amendments to Substitute House Bill No. 144 be concurred in.

HELDING, Chairman.

It was moved by Holding, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Toomey, duly seconded, that Senate Amendments to House Bill No. 183 be segregated from the report of the Committee of the Whole.

A roll call, to be entered in the Journal, was requested by the required number, and substitute motion by Toomey to segregate Senate Amendments to House Bill No. 183 lost by the following vote:

Ayes: Ahern, Ballard, Burke, Busch, Carlson, Curran, Dougherty, Flook, Forbregd, Hammond, Harrison, Hazelbaker, Hunter, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, Martin of Madison, Morrow, O'Brien, O'Connor, Roehl, Simpson, Stevens, Toomey, Williams, Mr. Speaker. Total 28.

Noes: Anderson, Anson, Aronson, Banka, Beazley, Beck, Bjorneby, Blenkner, Byrne, Castles, Dahlquist, Davey, Dillavou, Esp, Friedl, Green, Gunderson, Hageman, Harken, Heiding, Hess, Kemmis, Kirscher, Laubach, Lynch, McKenna, Martin of Fergus, Nash, Nelson, Newell, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Reed, Saylor, Scofield, Scott, Spiegel, Vanek, White, Wilson, Zuck. Total 45.

Absent and not voting: Allen, Antrim, Armstrong, Cannon, Clifford, Cole, Cummings, Eggenberger, Fewkes, Freshman, Gebhardt, Goodwin, Horrigan, James, LaBonte, Lippard, McMichael, Mernin, Miller, Murray, Parker of Flathead, Rasmussen, Rice, Tonn, Toole, Tyler, Watson, Welcome, Winters. Total 29.

Whereupon the report of the Committee of the Whole was adopted.

The Speaker appointed the following conference committees:

On Senate Amendments to Substitute House Bill No. 9: Friedl, Spiegel and Horrigan.

On Senate Amendments to House Bill No. 349: Ballard, Scofield and O'Connor.

On Senate Amendments to House Bill No. 183: Rasmussen, Lynch and Toomey.

On Senate Amendments to House Bill No. 175: Gunderson, Phelan and Martin of Madison.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that H. B. No. 369, by Byrne and Armstrong, was this day read third time and concurred in, title and history agreed to, and same is herewith returned to the House.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 174, by Committee on Appropriations.

H. B. No. 368, by Committee on Appropriations.

H. B. No. 370, by Committee on Appropriations.

H. B. No. 390, by House Committee of the Joint House and Senate Committee on Educational Institutions and Affairs.

I am directed by the Senate to inform your Honorable Body that the Senate this day refused to concur in the House amendments to S. B. Nos. 183 and 192, and requests the House to appoint a conference committee to act with a like committee from the Senate for the consideration of the amendments to each of said Senate Bills. The President appointed the following Senators to act as such committees from the Senate:

For the consideration of House amendments to S. B. No. 183: Mundy, Nutt and Alvord.

For the consideration of House amendments to S. B. No. 192: Morrison, Martinson and Simmons.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

CONSIDERATION OF GENERAL ORDERS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Hazelbaker in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bills Nos. 174, 368 and 370 be not concurred in and that conference committees be appointed by the House and like committees be requested from the Senate:

That Senate Amendments to House Bill No. 390 be concurred in.

HAZELBAKER, Chairman.

Report adopted.

The Speaker signed the following in Open Session: Senate Bills Nos. 116, 101, 60, 124, 52, 148, 145 and 195.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 375, 376, 377 and 392.

COLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 2:25 P. M.: House Bills Nos. 179, 371, 372, 386, 373, 382, 384, 239, 129, 88, 104, 257, 124, 170, 311, 164, 59, 295, 191, 217, 300, 202 and Substitute House Bills Nos. 142, 353, 139, 350 and 14.

COLE, Chairman.

Report adopted.

The Speaker appointed the following conference committees to act with like committees from the Senate:

On Senate Amendments to House Bill No. 370: Green, Kirscher and Simpson.

On Senate Amendments to House Bill No. 368: Williams, Gunderson, and Freshman.

On Senate Amendments to House Bill No. 174: Nash, Lehrkind and Gebhardt.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday, March 5th, 1941, at 10:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-NINTH DAY

House of Representatives,
Helena, Montana,
March 5, 1941.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Speaker Pro Tem in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Miller, Watson and Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Fifty-eighth Legislative day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 374, 219, 201, 243, 252, 369, 235, 324.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 201 introduced by me and find the same to be correct.

DILLAVOU.

I have examined House Bill No. 235 introduced by me and find the same to be correct.

O'BRIEN.

I have examined House Bill No. 219 introduced by me and find the same to be correct.

LAUBACH.

I have examined House Bill No. 374 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 324 introduced by me and find the same to be correct.

FEWKES.

I have examined House Bill No. 252 introduced by me and find the same to be correct.

CLIFFORD.

I have examined House Bill No. 243 introduced by me and find the same to be correct.

CUMMINGS.

I have examined House Bill No. 369 introduced by me and find the same to be correct.

O'BRIEN.

The Speaker signed the following in Open Session: House Bills Nos. 392, 375, 376, 377, 374, 219, 201, 243, 252, 369, 235 and 324.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your Committee appointed to report on the condition of the members of this House who have been ill during a good share of the session, namely, the Honorable George Welcome of Park County and the Honorable Fred Watson of Missoula County beg leave to report that:

We find that Mr. Welcome who was stricken during the early days of the session with a heart ailment is still confined to his bed at the home of relatives here in the city of Helena. We regret that we cannot report that his condition is improved to the extent that we had hoped it might be.

Mr. Watson was during the early days of the session confined to a hospital here in the city of Helena and later was removed to a hospital in his home town, Missoula. Upon inquiries and advice received from Missoula, we are informed that Mr. Watson has recovered to a considerable extent and has been enabled to leave the hospital in Missoula but is still confined to his home in that city. However, contrary to our hopes and his, he will be unable to attend the closing days of the 27th Legislative Assembly.

We recommend that the Chief Clerk be instructed to extend to the Honorable George Welcome of Park County and Fred Watson of Missoula County an appropriate expression of the regrets of this body that we have been unable to enjoy the good fellowship and co-operation that we are cer-

tain that we would have received if it had not been for their untimely illness.

NASH, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Amendments to House Bill No. 390 were concurred in by the following vote:

Ayes: Ahern, Anderson, Aronson, Banka, Beck, Blenkner, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Forbregd, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, Kemmis, Kirscher, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Rasmussen, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toole, Vanek, White, Wilson, Winters, Zuck. Total 66.

Noes: None.

Absent and not voting: Allen, Anson, Antrim, Armstrong, Ballard, Beazley, Bjorneby, Burke, Busch, Byrne, Cole, Davey, Fewkes, Flook, Freshman, Friedl, Hazelbaker, Horrigan, Hunter, LaBonte, Lippard, Miller, Morrow, O'Connor, Phelan, Potter, Reed, Rice, Scofield, Tonn, Toomey, Tyler, Watson, Welcome, Williams, Mr. Speaker. Total 36.

Senate Amendments to House Bill No. 222 were concurred in by the following vote:

Ayes: Ahern, Anderson, Anson, Armstrong, Banka, Blenkner, Cannon, Carlson, Castles, Clifford, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, Kemmis, Kirscher, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Rasmussen, Roehl, Saylor, Scott, Spiegel, Stevens, Toole, Vanek, White, Wilson, Winters, Zuck. Total 67.

Noes: Simpson. Total 1.

Absent and not voting: Allen, Antrim, Aronson, Ballard, Beazley, Beck, Bjorneby, Burke, Busch, Byrne, Cole, Davey, Freshman, Hazelbaker, Horrigan, Hunter, LaBonte, Lippard, Miller, Morrow, Nash, O'Connor, Phelan, Potter, Reed, Rice, Scofield, Tonn, Toomey, Tyler, Watson, Welcome, Williams, Mr. Speaker. Total 34.

Senate Amendments to House Bill No. 298 were concurred in by the following vote:

Ayes: Ahern, Anderson, Anson, Armstrong, Aronson, Banka, Beck, Blenkner, Cannon, Carlson, Castles, Cummings, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Friedl, Goodwin, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, Kemmis, Kirscher, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Murray, Nash, Nelson, O'Brien, Oliver,

Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Rasmussen, Reed, Roehl, Saylor, Simpson, Spiegel, Stevens, Toole, Vanek, White, Wilson, Winters, Zuck, McMichael, Newell. Total 65.

Noes: None.

Absent and not voting: Allen, Antrim, Ballard, Beazley, Bjerneby, Burke, Busch, Byrne, Clifford, Cole, Curran, Davey, Eggenberger, Freshman, Gebhardt, Green, Gunderson, Hazelbaker, Horrigan, LaBonte, Lippard, Miller, Morrow, O'Connor, Phelan, Potter, Rice, Scofield, Scott, Tonn, Toomey, Tyler, Watson, Welcome, Williams, Hunter, Mr. Speaker. Total 37.

Senate Amendments to House Bill No. 391 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Banka, Blenkner, Cannon, Carlson, Castles, Cummings, Dahlquist, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, Kemmis, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toole, White, Wilson, Winters, Zuck. Total 64.

Noes: None.

Absent and not voting: Antrim, Aronson, Ballard, Beazley, Beck, Bjerneby, Burke, Busch, Byrne, Clifford, Cole, Curran, Dougherty, Freshman, Green, Hazelbaker, Horrigan, Hunter, Kirscher, LaBonte, Lippard, Martin of Fergus, Miller, Morrow, O'Connor, Phelan, Potter, Rice, Scofield, Tonn, Toomey, Tyler, Vanek, Watson, Welcome, Williams, Mr. Speaker. Total 38.

Senate Amendments to House Bill No. 204 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Banka, Blenkner, Cannon, Carlson, Castles, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, Kemmis, Kirscher, Laubach, Lehrkind, Loughran, Lowe, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Rasmussen, Reed, Roehl, Saylor, Scott, Spiegel, Stevens, Toole, Vanek, Wilson, Winters, Zuck. Total 63.

Noes: Simpson. Total 1.

Absent and not voting: Antrim, Aronson, Ballard, Beazley, Beck, Bjerneby, Burke, Busch, Byrne, Clifford, Cole, Curran, Freshman, Green, Hazelbaker, Horrigan, Hunter, LaBonte, Lippard, Lynch, Martin of Fergus, Miller, Morrow, O'Connor, Parker of Flathead, Petersen, Phelan, Potter, Rice, Scofield, Tonn, Toomey, Tyler, Watson, Welcome, White, Williams, Mr. Speaker. Total 38.

Senate Amendments to House Bill No. 114 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Banka, Beck, Blenkner, Cannon, Carlson, Castles, Cummings, Dahlquist, Davey, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, Kemmis, Kirscher, Laubach, Loughran, Lowe, Lynch, Mc-

Daniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Murray, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toole, White, Williams, Wilson, Winters, Zuck. Total 67.

Noes: None.

Absent and not voting: Antrim, Aronson, Ballard, Beazley, Bjorneby, Burke, Busch, Byrne, Clifford, Cole, Curran, Freshman, Green, Hazelbaker, Horrigan, Hunter, LaBonte, Lehrkind, Lippard, Martin of Fergus, Miller, Morrow, O'Connor, Petersen, Phelan, Potter, Rice, Scofield, Tonn, Toomey, Tyler, Vanek, Watson, Welcome, Mr. Speaker. Total 35.

Senate Amendments to House Bill No. 256 were concurred in by the following vote:

Ayes: Ahern, Allen, Anderson, Armstrong, Banka, Beck, Blenkner, Cannon, Carlson, Castles, Cummings, Davey, Dillavou, Eggenberger, Esp, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Harken, Harrison, Holding, Hess, James, Kemmis, Kirscher, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Reed, Roehl, Saylor, Scott, Simpson, Stevens, Toole, Vanek, Wilson, Winters, Zuck, Anson, Mr. Speaker. Total 61.

Noes: None.

Absent and not voting: Antrim, Aronson, Ballard, Beazley, Bjorneby, Burke, Busch, Byrne, Clifford, Cole, Curran, Dahlquist, Dougherty, Fewkes, Freshman, Green, Gunderson, Hazelbaker, Horrigan, Hunter, LaBonte, Lehrkind, Lippard, Martin of Fergus, Miller, Morrow, Petersen, Phelan, Potter, Rasmussen, Rice, Scofield, Spiegel, Tonn, Toomey, Tyler, Watson, Welcome, White, Williams, Mr. Speaker. Total 41.

Senate Amendments to House Bill No. 346 were concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Banka, Beck, Blenkner, Cannon, Carlson, Castles, Clifford, Cummings, Dahlquist, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Harken, Harrison, Holding, Hess, James, Kemmis, Kirscher, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, McMichael, Martin of Madison, Mernin, Murray, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Cascade, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Toole, Vanek, Wilson, Winters, Zuck. Total 62.

Noes: None.

Absent and not voting: Ahern, Antrim, Aronson, Ballard, Beazley, Bjorneby, Burke, Busch, Byrne, Cole, Curran, Davey, Dougherty, Freshman, Green, Hammond, Hazelbaker, Horrigan, Hunter, LaBonte, Lehrkind, Lippard, Martin of Fergus, Miller, Morrow, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Rice, Scofield, Tonn, Toomey, Tyler, Watson, Welcome, White, Williams, Mr. Speaker. Total 40.

Senate Amendments to Substitute House Bill No. 144 were concurred in by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Banka, Beck, Blenkner, Cannon, Carlson, Castles, Cummings, Davey, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Ham-

mond, Harken, Holding, Hess, James, Kemmis, Kirscher, Laubach, Loughran, Lowe, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Mernin, Murray, Nash, Nelson, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Rasmussen, Reed, Roehl, Saylor, Scott, Simpson, Spiegel, Stevens, Vanek, White, Wilson, Winters, Zuck. Total 59.

Noes: None.

Absent and not voting: Ahern, Antrim, Aronson, Ballard, Beazley, Bjorneby, Burke, Busch, Byrne, Clifford, Cole, Curran, Dahlquist, Dillavou, Dougherty, Freshman, Green, Harrison, Hazelbaker, Horrigan, Hunter, LaBonte, Lehrkind, Lippard, McMichael, Martin of Fergus, Miller, Morrow, Newell, O'Connor, Petersen, Phelan, Potter, Rice, Scofield, Tonn, Toole, Toomey, Tyler, Watson, Welcome, Williams, Mr. Speaker. Total 43.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call adopted the report of the Joint Conference Committee on Senate amendments to H. B. No. 106.

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the report of the Joint Conference Committee of the House and Senate on House amendments to S. B. No. 77.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 226—Relating to the sale of mining property in estates of deceased persons.

H. B. No. 314—Reimbursing Big Horn county for moneys paid to the Insane Asylum by mistake.

H. B. No. 319—Relating to the appointment of judges of election.

H. B. No. 323—Relating to appointment of election judges and clerks by City Council.

H. J. M. No. 11—Urging elimination of certain deferments now authorized by the conscription law.

H. J. M. No. 10—Asking that the Federal Housing Act be applied to rural localities within the State of Montana.

H. J. M. No. 9—Requesting allocation of funds for addition of hospital facilities at Fort Harrison, Montana.

H. J. M. No. 8—Seeking establishment of United States assay office at Helena.

I have the honor to advise you that I have this day approved House Bill No. 176, relating to the fees of County Clerks in the State of Montana.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion and at the request of the House, appointed conference committees from the Senate to act with like committees from the House, as follows:

For the consideration of Senate amendments to H. B. No. 368: Pauline; Cotter, Hammond.

For the consideration of Senate amendments to H. B. No. 370: Ecton, Mundy, Plank.

For the consideration of Senate amendments to H. B. No. 183: Ecton, Angvick, Bateman.

For the consideration of Senate amendments to Sub. H. B. No. 9: Ecton, Mundy, Martinson.

For the consideration of Senate amendments to Sub. H. B. No. 337: D'Ewart, Liggett, Haight.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:45 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 1:45 P. M.: 324, 252, 235, 369, 243, 201, 219, 374, 377, 376, 375, 392.

COLE, Chairman.

Report adopted.

The Speaker Pro Tem appointed the following conference committees to act with like committees from the Senate:

On House Amendments to Senate Bill No. 183: Toomey, O'Connor and O'Brien.

On House Amendments to Senate Bill No. 192: Parker of Cascade, Martin of Fergus and Harrison.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 238, 187, 173.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 187 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 238 introduced by me and find the same to be correct.

JAMES.

The Speaker Pro Tem signed the following in Open Session: House Bills Nos. 238, 187, and 137, and Senate Bills Nos. 106, 121, 162, 110, 77, 87, and 111.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your conference committee, appointed to confer on Senate Amendments to House Bills 368, report and recommend as follows: That the House agrees to all Senate Amendments.

WILLIAMS,
FRESHMAN,
GUNDERSON,
For the House.

PAULINE,
HAMMOND,
COTTER,
For the Senate.

On motion by Williams, duly seconded, the conference committee report on Senate Amendments to House Bill No. 368 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Aronson, Ballard, Beck, Bjorneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Dillavou, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kirscher, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McKenna, Martin of Fergus, Nash, Nelson, Newell, OBrien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Potter, Reed, Roehl, Saylor, Scofield, Toole, Vanek, White, Williams, Wilson, Winters. Total 65.

Noes: Holding, Spiegel. Total 2.

Absent and not voting: Antrim, Banka, Beazley, Clifford, Cole, Dahlquist, Davey, Dougherty, Green, Gunderson, Horrigan, Kemmis, LaBonte, Lippard, McGreevey, Martin of Madison, Mernin, Miller, Morrow, Murray, O'Connor, Parker of Cascade, Phelan, Rasmussen, Rice, Scott, Simpson, Stevens, Tonn, Toomey, Tyler, Watson, Welcome, Zuck, Mr. Speaker. Total 35.

The Speaker Pro Tem announced that he was unable to act on Senate Amendments to Substitute House Bill No. 337 and appointed R. C. Dillavou in his place.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Agriculture, having had under consideration Senate Bill No. 114, respectfully report as follows: That Senate Bill No. 114 be not concurred in.

PHELAN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House.

H. B. No. 388 by Committee on Appropriations.

H. B. No. 393 by House Committee on the Joint Senate and House Committee on Educational Institutions and Affairs.

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as

amended by the Senate, and are herewith returned to the House for concurrence in the Senate Amendments:

Sub. H. B. No. 46, by Committee on Appropriations.

H. B. No. 354, by Goodwin and Curran.

H. B. No. 366, by Committee on Appropriations.

H. B. No. 380, by Committee on Appropriations.

H. B. No. 389, by Committee on Appropriations.

H. B. No. 394, by Committee on Appropriations.

I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion and at the request of the House appointed the following Senators to act with like committees of the House as Conference Committees:

For the consideration of Senate Amendments to H. B. No. 175: Gilbert, Maddox, Martin.

For the consideration of Senate Amendments to H. B. No. 349: Taylor, Simmons, Ruffcorn.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

CONSIDERATION OF GENERAL ORDERS

It was moved by Spiegel, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Newell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration the following, recommend: That Senate Amendments to Substitute House Bill No. 46, House Bills Nos. 354, 366, 380, 389 and 394 be not concurred in and that conference committees be appointed from the House and like committees requested from the Senate.

NEWELL, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have approved the following House measures:

H. B. No. 210—Relating to rural school districts.

H. B. No. 249—Relating to elimination of reckless and irresponsible drivers from highways.

H. B. No. 330—Relating to appointment of weed control and weed seed exterminators.

SAM C. FORD,
Governor.

The Speaker Pro Tem appointed the following conference committees to act with like committees from the Senate:

On Senate Amendments to Substitute House Bill No. 46: Ahern, Simpson and Horrigan.

On Senate Amendments to House Bill No. 354: Ballard, Busch and Holding.

On Senate Amendments to House Bill No. 366: Williams, James and Stevens.

On Senate Amendments to House Bill No. 380: Byrne, Green and Armstrong.

On Senate Amendments to House Bill No. 389: Ahern, Kirscher and Antrim.

On Senate Amendments to House Bill No. 394: Blenkner, Hammond and Vanek.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your conference committee, appointed to confer on Senate Amendments to House Bill 370, report and recommend as follows: That the House agrees to Senate Amendments.

GREEN,
KIRSCHER,
SIMPSON,
For the House

ECTON,
MUNDY,
PLANK,
For the Senate.

On motion by Green, duly seconded, the Conference Committee report on Senate Amendments to House Bill No. 370 was adopted by the following vote:

Ayes: Allen, Anson, Armstrong, Ballard, Banka, Beck, Bjerneby, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Cummings, Dahlquist, Davey, Dougherty, Esp, Fewkes, Forbregd, Freshman, Gebhardt, Goodwin, Green, Harken, Harrison, Hazelbaker, Hunter, Kemmis, LaBonte, Lehrkind, Loughran, Lynch, McDaniel, McKenna, McMichael, Martin of Fergus, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Potter, Rasmussen, Roehl, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Vanek, White, Wilson, Winters, Zuck, Mr. Speaker. Total 62.

Noes: Rice, Spiegel. Total 2.

Absent and not voting: Ahern, Anderson, Antrim, Aronson, Beazley, Clifford, Cole, Curran, Dillavou, Eggenberger, Flook, Friedl, Gunderson, Hageman, Hammond, Holding, Hess, Horrigan, James, Kirscher, Laubach, Lippard, Lowe, McGreevey, Martin of Madison, Mernin, Miller, Morrow, Murray, O'Connor, Phelan, Reed, Saylor, Toomey, Tyler, Watson, Welcome, Williams. Total 38.

Mr. Speaker:

We, your Conference Committee, appointed to confer on Senate Amendments to House Bill No. 175, report and recommend as follows: That the Senate recede from its amendments to House Bill No. 175.

GUNDERSON,
PHELAN,
MARTIN of Madison,
For the House.

MARTIN,
MADDOX,
For the Senate.

On motion by Gunderson, duly seconded, the conference committee report on Senate Amendments to House Bill No. 175 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjerneby, Burke, Busch, Byrne, Cummings, Curran, Dahlquist, Davey, Dillavou, Dougherty, Fewkes, Flook, Forbregd, Green, Gunderson, Hammond, Harken, Harrison, Holding, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Loughran, Lowe, Lynch, McDaniel, McKenna, Martin of Fergus, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Potter, Rasmussen, Rice, Roehl, Scofield, Scott, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Vanek, White, Wilson, Winters. Total 66.

Noes: None.

Absent and not voting: Anson, Banka, Blenkner, Cannon, Carlson, Castles, Clifford, Cole, Eggenberger, Esp, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hazelbaker, Horrigan, Lehrkind, Lippard, McGreevey, McMichael, Martin of Madison, Mernin, Miller, Morrow, Murray, O'Connor, Phelan, Reed, Saylor, Spiegel, Watson, Welcome, Williams, Zuck, Mr. Speaker. Total 36.

Mr. President and Mr. Speaker:

We, your Joint Conference Committee of the House and Senate on House Bill No. 183 recommend that the Senate recede from the Senate Committee of the Whole amendment in Section 7, line 28, page 11 of the original bill, which is line 5, page 8 of the printed bill, which struck out the period after the word "state" in such line and reads as follows: "and practicing within the limits of such licensed calling" and that the period be restored after the word "state" and that the House accept all remaining Senate amendments.

RASMUSSEN,
TOOMEY,
LYNCH,
For the House.

ECTON,
BATEMAN,
ANGVICK,
For the Senate.

On motion by Rasmussen, duly seconded, the conference committee report on Senate Amendments to House Bill No. 183 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Armstrong, Aronson, Ballard, Beazley, Beck, Bjerneby, Burke, Busch, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Gebhardt, Goodwin, Green, Gunderson, Hammond, Harken, Harrison, Hazelbaker, Holding, Hess, Hunter, James, LaBonte, Laubach, Lippard, Lowe, Lynch, McDaniel, McKenna, Martin of Fergus, Nash, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Potter, Rasmussen, Rice, Roehl, Scofield, Scott, Simpson, Tonn, Toole, Toomey, Vanek, White, Wilson, Zuck. Total 66:

Noes: None.

Absent and not voting: Anson, Banka, Blenkner, Byrne, Clifford, Cole, Davey, Eggenberger, Freshman, Friedl, Hageman, Horrigan, Kemmis, Kirscher, Lehrkind, Loughran, McGreevey, McMichael, Martin of Madison, Mernin, Miller, Morrow, Murray, O'Connor, Parker of Cascade, Phelan, Reed, Saylor, Spiegel, Stevens, Tyler, Watson, Welcome, Williams, Winters, Mr. Speaker. Total 36.

The Speaker Pro Tem announced a change in the personnel of the Conference Committee on Senate Amendments to Substitute House Bill No. 337, withdrawing Morrow, and appointing Armstrong in his stead.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion and at the request of the House appointed Conference Committees as follows:

For the consideration of Senate amendments to H. B. No. 389: Nutt, Keeley and Manning.

For the consideration of Senate amendments to H. B. No. 174: McQuitty, Mahoney and Manning.

I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion and at the request of the House, appointed the following Conference Committees:

To consider Senate amendments to H. B. No. 394: Henderson, Taylor, Fowlie.

To consider Senate amendments to H. B. No. 380: Pauline, Nutt, Hammond.

To consider Senate amendments to H. B. No. 354: Ecton, Weinschrott, Peterson.

To consider Senate amendments to Sub. H. B. No. 46: Hazelbaker, Alvord, Wilcoxon.

To consider Senate amendments to H. B. No. 366; Kalberg, Morrison, D'Ewart.

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the reports of Joint Conference Committees as follows:

Considering Senate amendments to H. B. No. 366;

Considering Senate amendments to Sub. H. B. No. 337;

Considering Senate amendments to Sub. H. B. No. 46.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF SELECT COMMITTEES

Mr. President:

Mr. Speaker:

We, your Joint Conference Committee, appointed to consider Senate amendments to Substitute House Bill No. 337, beg leave to report as follows:

That all Senate amendments be stricken from the bill.

That the title be amended by adding after the word "sponsor" in line 5 of the printed bill the words "sewing projects and".

That Section 1 be amended in line 1 of the printed bill by adding after the word "complete" the words "sewing projects and".

That Section 2 be amended in line 2 by adding after the word "sponsor" the words "sewing projects and".

That Section 5 be amended in line 3 by adding after the word "with" the words "sewing projects and".

D'EWART,
LIGGETT,
HAIGHT,
For the Senate.

DILLAVOU,
KIRSCHER,
ARMSTRONG,
For the House.

On motion by Dillavou, duly seconded, the conference committee report on Senate Amendments to Substitute House Bill No. 337 was adopted by the following vote:

Ayes: Anderson, Anson, Antrim, Ballard, Beazley, Beck, Bjorneby, Blenkner, Burke, Byrne, Cannon, Carlson, Castles, Clifford, Cummings, Dillavou, Dougherty, Fewkes, Flook, Forbregd, Goodwin, Green, Hammond, Harken, Harrison, Holding, Hess, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lynch, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Murray, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Potter, Rasmussen, Reed, Rice, Roehl, Scofield, Scott, Simpson, Tonn, Toole, Tyler, Vanek, Wilson, Winters, Zuck. Total 63.

Noes: None.

Absent and not voting: Ahern, Allen, Armstrong, Aronson, Banka, Busch, Cole, Curran, Dahlquist, Davey, Eggenberger, Esp, Freshman, Friedl, Gebhardt, Gunderson, Hageman, Hazelbaker, Horrigan, James, Lehrkind, Lippard, Loughran, Lowe, McMichael, Miller, Morrow, Nash, O'Connor, Phelan, Saylor, Spiegel, Stevens, Toomey, Watson, Welcome, White, Williams, Mr. Speaker. Total 39.

Mr. Speaker:

We, your conference committee, appointed to confer on Senate Amendments to House Bill 366, report and recommend as follows: That the House agrees to all Senate Amendments.

WILLIAMS,
STEVENS,
JAMES,

For the House.

KALBERG,
MORRISON,
D'EWART,

For the Senate.

On motion by Williams, duly seconded, the conference committee report on Senate Amendments to House Bill No. 366 was adopted by the following vote:

Ayes: Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Banka, Beazley, Beck, Bjorneby, Blenkner, Busch, Byrne, Castles, Cummings, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Gebhardt, Goodwin, Hammond, Harken, Hess, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lowe, Lynch, McDaniel, Martin of Madison, Martin of Fergus, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Rasmussen, Reed, Scofield, Scott, Simpson, Stevens, Toole, Tyler, White, Williams, Wilson, Winters, Zuck. Total 59.

Noes: Burke, Cannon, Clifford, Curran, Dahlquist, Gunderson, Holding, Lehrkind, McGreevey, McKenna, Mernin, Parker of Cascade, Roehl. Total 13.

Absent and not voting: Ahern, Ballard, Carlson, Cole, Davey, Eggenberger, Freshman, Friedl, Green, Hageman, Harrison, Hazelbaker, Horrigan, Lippard, Loughran, McMichael, Miller, Morrow, Murray, Nash, O'Connor, Rice, Saylor, Spiegel, Tonn, Toomey, Vanek, Watson, Welcome, Mr. Speaker. Total 30.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, rejected the report of the Joint Conference Committee considering Senate amendments to H. B. No. 175.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in the report of the Joint Conference Committee considering Senate amendments to H. B. No. 183; likewise the report of the Joint Conference Committee considering Senate amendments to H. B. No. 370, and the report of the Joint Conference Committee considering Senate amendments to H. B. No. 368.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your conference committee, appointed to confer on Senate Amendments to Substitute House Bill No. 46, report and recommend as follows: That the House agrees to all Senate Amendments.

AHERN,
HORRIGAN,
SIMPSON,
For the House.

HAZELBAKER,
WILCOXON,
ALVORD,
For the Senate.

It was moved by Simpson, duly seconded, that the report of the conference committee on Senate Amendments to Substitute House Bill No. 46 be adopted.

On substitute motion, it was moved by Spiegel, duly seconded, that the report be rejected and a new committee appointed by the House and a like committee requested from the Senate. Motion lost.

Whereupon conference committee report on Senate Amendments to Substitute House Bill No. 46 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Banka, Beazley, Beck, Bjerneby, Busch, Byrne, Carlson, Cole, Cummings, Curran, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Green, Harken, Hazelbaker, Kemmis, LaBonte, Laubach, Lowe, Lynch, McDaniel, McKenna, Martin of Madison, Newell, O'Brien, Parker of Wibaux, Potter, Rasmussen, Roehl, Scott, Simpson, Stevens, Tonn, Tyler, White, Williams, Wilson, Winters. Total 52.

Noes: Burke, Cannon, Castles, Clifford, Friedl, Hunter, James, McGreevey, McMichael, Mernin, Nelson, Oliver, Reed, Rice, Spiegel, Toole, Zuck. Total 17.

Absent and not voting: Blenkner, Davey, Freshman, Gebhardt, Goodwin, Gunderson, Hageman, Hammond, Harrison, Holding, Hess, Horrigan, Kirscher, Lehrkind, Lippard, Loughran, Martin of Fergus, Miller, Morrow, Murray, Nash, O'Connor, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Saylor, Scofield, Toomey, Vanek, Watson, Welcome, Mr. Speaker. Total 33.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 222, 204, 114, 391, 346, 298 and Senate Substitute for House Bill No. 119.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 222 introduced by me and find the same to be correct.

TOOMEY.

I have examined Senate Substitute for House Bill No. 119 introduced by me and find the same to be correct.

TOOLE.

I have examined House Bill No. 391 introduced by me and find the same to be correct.

ZUCK.

I have examined House Bill No. 346 introduced by me and find the same to be correct.

PARKER of Cascade.

I have examined House Bill No. 114 introduced by me and find the same to be correct.

NELSON.

I have examined House Bill No. 204 introduced by me and find the same to be correct.

KEMMIS.

I have examined House Bill No. 298 introduced by me and find the same to be correct.

FEWKES.

The Speaker Pro Tem signed the following in Open Session: House Bills Nos. 222, 204, 114, 391, 346, 298, and Senate Substitute for House Bill No. 119.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your Committee on Joint Conference, having had under consideration Senate Bill No. 192: A bill for an act entitled: "An act providing for a system of apprenticeship whereby voluntarily made agreements of apprenticeship would be encouraged; establishing standards for such agreements, creating an apprenticeship council of apprenticeship and defining their duties hereunder; repealing Section 11520 of the Revised Codes of Montana, 1935." Respectfully report as follows: That the House recedes from House Committee on Labor amendment to Senate Bill No. 192 adopted February 25, 1941.

We, your Committee on Joint Conference recommend that said Senate Bill No. 192 be amended in Section 1, page 1, line 13 of the original bill, line 2 of the printed bill by striking out the words: "Governor of Montana" and inserting in lieu thereof the words: "Commissioner of the Department of Agriculture, Labor and Industry."

And that Senate Bill No. 192 be further amended in Section 1, page 1, line 17 of the original bill, lines 4 and 5 of the printed bill by striking out the words: "Governor of Montana" and inserting in lieu thereof the words: "Commissioner of the Department of Agriculture, Labor and Industry."

And that said Senate Bill be amended in Section 1, page 2, line 3 of the original bill, line 18 of the printed bill by striking out the words: "Governor of Montana" and inserting in lieu thereof the words: "Commissioner of the Department of Agriculture, Labor and Industry."

And that said Senate Bill No. 192 be further amended in Section 2, page 2, line 23 of the original bill, line 14 of the printed bill by striking out

the words: "Governor of Montana" and inserting in lieu thereof the words: "Commissioner of the Department of Agriculture, Labor and Industry".

PARKER of Cascade,
HARRISON,
MARTIN of Fergus,
For the House.

MORRISON,
MARTINSON,
SIMMONS,
For the Senate.

On motion by Parker of Cascade, duly seconded, the conference committee report on House amendments to Senate Bill No. 192 was adopted by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Asonson, Banka, Beazley, Beck, Bjorneby, Byrne, Cannon, Carlson, Castles, Cummings, Curran, Dahlquist, Dougherty, Esp, Fewkes, Flook, Forbregd, Friedl, Harken, Harrison, Hazelbaker, Hess, Hunter, James, Kemmis, LaBonte, Laubach, Lippard, Loughran, Lowe, Lynch, McGreevey, McKenna, McMichael, Martin of Madison, Martin of Fergus, Mernin, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Cascade, Petersen, Phelan, Potter, Reed, Rice, Roehl, Scott, Simpson, Spiegel, Stevens, Tonn, Toole, White, Williams, Wilson, Winters. Total 63.

Noes: None.

Absent and not voting: Ahern, Antrim, Ballard, Blenkner, Burke, Busch, Clifford, Cole, Davey, Dillavou, Eggenberger, Freshman, Gebhardt, Goodwin, Green, Gunderson, Hageman, Hammond, Holding, Horrigan, Kirscher, Lehrkind, McDaniel, Miller, Morrow, Murray, Nash, O'Connor, Parker of Flathead, Rasmussen, Saylor, Scofield, Toomey, Tyler, Vanek, Winton, Welcome, Zuck, Mr. Speaker. Total 39.

Mr. Speaker:

We, your conference committee, appointed to confer on Senate amendments to House Bill 354, report and recommend as follows: That the House agrees to all Senate amendments.

BALLARD,
BUSCH,
HELDING,
For the House.

ECTON,
WEINSCHROTT,
PETERSON,
For the Senate.

On motion by Ballard, duly seconded, the conference committee report on Senate amendments to House Bill No. 354 was adopted by the following vote:

Ayes: Ahern, Armstrong, Aronson, Ballard, Beck, Bjorneby, Busch, Byrne, Castles, Cummings, Curran, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Gebhardt, Green, Harken, Harrison, Hazelbaker, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lowe, Lynch, McDaniel, Martin of Madison, Nelson, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Petersen, Phelan, Potter, Reed, Roehl, Scott, Simpson, Stevens, White, Wilson, Winters. Total 50.

Noes: Beazley, Cannon, Friedl, Gunderson, Holding, Hess, Hunter, McKenna, Martin of Fergus, Rice, Scofield, Spiegel, Tonn, Toole. Total 14.

Absent and not voting: Allen, Anson, Antrim, Banka, Blenkner, Burke, Carlson, Clifford, Cole, Dahlquist, Davey, Dillavou, Freshman, Goodwin, Hageman, Hammond, Horrigan, Lippard, Loughran, McGreevey, McMichael, Mernin, Miller, Morrow, Murray, Nash, O'Connor, Parker of Cascade, Ras-

mussen, Saylor, Toomey, Tyler, Vanek, Watson, Welcome, Williams, Zuck, Mr. Speaker. Total 38.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted Conference Committee report as follows: Report of Committee considering Senate amendments to H. B. No. 354; Report of Committee considering House amendments to S. B. No. 192.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday, March 6th, 1941, at 9:00 o'clock A. M.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.

SIXTIETH DAY

House of Representatives,
Helena, Montana,
March 6, 1941.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Miller, Watson, Welcome.

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Fifty-ninth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE REPORT

Honorable President of the Senate and Honorable Speaker of the House of Representatives:

We, your Conference Committee appointed to consider Senate amendments to House Bill No. 40 respectfully wish to report and recommend as follows:

That the House accedes to Senate amendments to House Bill No. 40.

CAMPBELL,
DRUMHELLER,
BAKER of Dawson,
For Senate.

CUMMINGS,
TOOMEY,
O'CONNOR,
For House.

On motion by O'Connor, duly seconded, the conference committee report on Senate Amendments to House Bill No. 40 was adopted by the following vote:

Ayes: Anderson, Anson, Aronson, Ballard, Banka, Beck, Bjorneby, Burke, Busch, Byrne, Castles, Cummings, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Hageman, Harken, Harrison, Hazelbaker, James, Kemmis, Kirscher, Laubach, Lehrkind, Loughran, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Madison, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Roehl, Scott, Simpson, Stevens, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 62.

Noes: Cannon, Clifford, Holding, Hess, Horrigan, McGreevey, Martin of Fergus, Mernin, Rice, Scofield, Spiegel. Total 11.

Absent and not voting: Ahern, Allen, Antrim, Armstrong, Beazley, Blenkner, Carlson, Cole, Curran, Dahlquist, Davey, Freshman, Green, Gunderson, Hammond, Hunter, LaBonte, Lippard, Miller, Murray, Parker of Cascade, Petersen, Reed, Saylor, Tonn, Vanek, Watson, Welcome, White. Total 29.

Mr. President and Mr. Speaker:

We, your Joint Conference Committee appointed to consider Senate amendments to House Bill No. 174, beg leave to report as follows:

That Senate amendment to Section 2 in lines 22 and 23 on page 2 of the original bill be amended by striking out the words and figures, "two hundred eighty-two thousand eight hundred sixty dollars....\$282,860.00" and inserting in lieu thereof the words and figures, "two hundred eighty-five thousand eight hundred sixty dollars....\$285,860.00"

That Senate amendment to Section 2 in line 26 on page 2 of the original bill be amended by striking out the words and figures, "fifteen thousand dollars....\$15,000.00" and inserting in lieu thereof the words and figures, "twenty thousand dollars....\$20,000.00"; and further amend by inserting after the word, "staff" in line 26 on page 2 of the original bill the words, "and clerical employees"

That Senate amendment to Section 2 in lines 29 and 30 on page 2 of the original bill be amended by striking out the words and figures, "three thousand two hundred forty dollars....\$3,240.00" and inserting in lieu thereof the words and figures, "five thousand two hundred forty dollars....\$5,240.00"

That Senate amendment to Section 3 in lines 8 and 9 on page 7 of the original bill be amended by striking out the words and figures, "two hundred eight-seven thousand eight hundred sixty dollars....\$287,860.00" and inserting in lieu thereof the words and figures, "two hundred ninety-five thousand eight hundred sixty dollars....\$295,860.00"

That Senate amendment to Section 3 in line 12 on page 7 of the original bill be amended by striking out the words and figures, "fifteen thousand dollars....\$15,000.00" and inserting in lieu thereof the words and figures, "twenty-three thousand dollars....\$23,000.00"; and further amended by inserting the word, "staff" in line 12 on page 7 of the original bill the words, "and clerical employees"

That Senate amendment to Section 3 in lines 15 and 16 on page 7 of the original bill be amended by striking out the words and figures, "three thousand two hundred forty dollars....\$3,240.00" and inserting in lieu thereof the words and figures, "eight thousand two hundred forty dollars....\$8,240.00"

And we further agree that the House accede to all other Senate amendments.

McQUITTY,
MAHONEY,
MANNING,

By the Senate.

GEBHARDT,
LEHRKIND,
NASH,

By the House.

On motion by Nash, duly seconded, the conference committee report on Senate amendments to House Bill No. 174 was adopted by the following vote:

Ayes: Anderson, Anson, Aronson, Ballard, Banka, Beazley, Beck, Bjorneby, Burke, Busch, Cannon, Castles, Clifford, Cummings, Dahlquist, Dillavou, Dougherty, Esp, Flook, Forbregd, Friedl, Gebhardt, Goodwin, Gunderson, Hageman, Harken, Harrison, Holding, Hunter, James, Kemmis, LaBonte, Lehrkind, Lippard, Loughran, Lowe, McDaniel, McGreevey, McKenna, Martin of Madison, Martin of Fergus, Mernin, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Scofield, Scott, Simpson, Stevens, Toole, Toomey, Tyler, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 70.

Noes: Kirscher, Spiegel. Total 2.

Absent and not voting: Ahern, Allen, Antrim, Armstrong, Blenkner, Byrne, Carlson, Cole, Curran, Davey, Eggenberger, Fewkes, Freshman, Green, Hammond, Hazelbaker, Hess, Horrigan, Laubach, Lynch, McMichael, Miller, Murray, Rice, Saylor, Tonn, Vanek, Watson, Welcome, White. Total 30.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 9:00 A. M.: House Bills Nos. 298, 391, 346, 114, 204, 222, 173, 187 and 238 and Senate Substitute for House Bill No. 119.

COLE, Chairman.

Report adopted.

Mr. Speaker:

We, your Committee on Judiciary, having had under consideration House Resolution No. 2, respectfully report as follows: That House Resolution No. 2 be amended by striking out the word "and" in line 11 and all of Lines 12, 13, 14 and 15 of the original Resolution, and by striking out in Line 17 after the word "Montana" all of the balance of Line 17 and Lines 18, 19, 20 and 21, and by striking out all of Lines 22 to 28 inclusive and by striking out the words "BE IT FURTHER RESOLVED", by striking out all of the title and insert in lieu thereof the following: "A RESOLUTION COMMENDING THE ATTORNEY GENERAL OF THE STATE OF MONTANA FOR HIS STAND UPON ENFORCEMENT OF THE ANTI-GAMBLING LAWS OF THE STATE.",

and that as so amended the same do pass.

TOOLE, Chairman.

Report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your joint Conference Committee of the Senate and House on Substitute House Bill No. 9 hereby report that your Conference Committee cannot agree on Senate amendments and ask to be discharged.

ECTON,
MARTINSON,
MUNDY,

For the Senate.

FRIEDL,
HORRIGAN,
SPIEGEL,

For the House.

On motion by Friedl, duly seconded, the conference committee report on Senate Amendments to Substitute House Bill No. 9 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Ballard, Banka, Beazley, Beck, Bjorneby, Blenkner, Burke, Carlson, Castles, Cole, Cummings, Dahlquist, Dillavou, Dougherty, Esp, Fewkes, Flook, Forbregd, Friedl, Gebhardt, Harken, Holding, Hess, Horrigan, Hunter, Kirscher, LaBonte, Lippard, Loughran, Lowe, Lynch, McDaniel, McKenna, Martin of Madison, Morrow, Nelson, Newell, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Rasmussen, Roehl, Saylor, Scofield, Scott, Simpson, Spiegel, Stevens, Toole, Tyler, Vanek, Williams, Winters, Zuck. Total 62.

Noes: Cannon, Harrison, Kemmis, McGreevey, Martin of Fergus, Murray, O'Brien, Oliver, Rice, Toomey, Wilson, Mr. Speaker. Total 12.

Absent and not voting: Armstrong, Aronson, Busch, Byrne, Clifford, Curran, Davey, Eggenberger, Freshman, Goodwin, Green, Gunderson, Hageman, Hammond, Hazelbaker, James, Laubach, Lehrkind, McMichael, Mernin, Miller, Nash, O'Connor, Reed, Tonn, Watson, Welcome, White. Total 28.

MOTIONS AND RESOLUTIONS

It was moved by Lippard, duly seconded and carried, that a new conference committee on Senate Amendments to Substitute House Bill No. 9 be appointed by the House and a like committee be requested from the Senate. The Speaker appointed Toole, Lynch and Armstrong to act as the conference committee on Senate Amendments to Substitute House Bill No. 9.

The Speaker signed Senate Bill No. 192 in Open Session.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 388, 393, 390, 183, 106, 368, 370, 256, 366 and 354 and Substitute House Bills Nos. 46, 144 and 337.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 370 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 388 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 368 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 106 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 393 introduced by me and find the same to be correct.

ZUCK.

I have examined House Bill No. 390 introduced by me and find the same to be correct.

ZUCK.

I have examined House Bill No. 354 introduced by me and find the same to be correct.

GOODWIN.

I have examined House Bill No. 366 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined Substitute House Bill No. 46 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined Substitute House Bill No. 337 introduced by me and find the same to be correct.

TOOLE.

I have examined House Bill No. 256 introduced by me and find the same to be correct.

PARKER of Cascade.

I have examined Substitute House Bill No. 144 introduced by me and find the same to be correct.

ZUCK.

The Speaker signed the following in Open Session: House Bills Nos. 388, 393, 390, 183, 106, 368, 370, 256, 366, 354 and Substitute House Bills Nos. 46, 144 and 337.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted conference committee reports on Senate amendments to H. B. Nos. 174 and 40.

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return H. B. No. 243 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by O'Connor, duly seconded, that the House request the Governor to return House Bill No. 243. Motion lost.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your conference committee from the House and Senate on amendments to Senate Bill No. 183, respectfully report as follows: That title be amended to read as follows: By striking out the word and figures "8 and 13" and inserting in lieu thereof the word and figure "and 5"; and by renumbering Section 4 as 3 and re-numbering Section 5 as 4.

And as so amended, that House Amendments to Senate Bill No. 183 be concurred in.

MUNDY,
NUTT,
ALVORD,
For the Senate.

TOOMEY,
O'BRIEN,
O'CONNOR,
For the House.

On motion by Toomey, duly seconded, the conference committee report on House Amendments to Senate Bill No. 183 was adopted by the following vote:

Ayes: Allen, Anderson, Antrim, Ballard, Blenkner, Burke, Carlson, Castles, Cummings, Dillavou, Eggenberger, Esp, Flook, Gebhardt, Green, Hageman, Harken, Harrison, Hess, Hunter, LaBonte, Lowe, Lynch, McDaniel, McKenna, McMichael, Martin of Fergus, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Parker of Flathead, Parker of Cascade, Petersen, Phelan, Potter, Roehl, Saylor, Scott, Vanek, White, Williams, Winters, Zuck. Total 48.

Noes: Beck, Bjerneby, Gunderson, Holding, Horrigan, Kemmis, Martin of Madison, Spiegel, Mr. Speaker. Total 9.

Absent and not voting: Ahern, Anson, Armstrong, Aronson, Banka, Beazley, Busch, Byrne, Cannon, Clifford, Cole, Curran, Dahlquist, Davey, Dougherty, Fewkes, Forbregd, Freshman, Friedl, Goodwin, Hammond, Hazelbaker, James, Kirscher, Laubach, Lehrkind, Lippard, Loughran, McGreevey, Mernin, Murray, Rasmussen, Reed, Rice, Scofield, Simpson, Stevens, Tonn, Toole, Toomey, Tyler, Watson, Welcome, Wilson, Miller. Total 45.

It was moved by Byrne, duly seconded and carried, that the House recess until 12:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your Conference Committee, appointed to confer on Senate Amendments to House Bill 380, report and recommend as follows:

Amend the Senate Amendment at page 5, lines 104 and 105 of the printed bill, by striking out the words and figures "thirty-five thousand eight hundred eighty dollars, \$35,880.00" and inserting in lieu thereof the words and figures "thirty-five thousand four hundred dollars, \$35,400.00".

Strike the Senate amendment at page 12, lines 373 and 374 of the printed bill as follows: Re-write line 373 as follows: "Salary of Supervisor, twelve hundred dollars, \$1,200.00", and re-write line 374 as follows: "For expenses, one thousand dollars \$1,000.00".

Amend the Senate Amendment at page 14, lines 87 and 88 of the printed bill by striking the words and figures "thirty-five thousand seven hundred eighty dollars, \$35,780.00" and inserting in lieu thereof the words and figures "thirty-five thousand four hundred dollars, \$35,400.00."

Strike the Senate Amendment at page 22, lines 350 and 351 of the printed bill as follows: Re-write line 350 as follows: "Salary of Supervisor,

twelve hundred dollars, \$1,200.00", and re-write line 351 as follows: "For expenses, one thousand dollars, \$1,000.00".

And as so amended, the House agrees to all Senate Amendments.

PAULINE,
HAMMOND,
NUTT,

For the Senate.

BYRNE,
GREEN,
ARMSTRONG,

For the House.

On motion by Byrne, duly seconded, the conference committee report on Senate Amendments to House Bill No. 380 was adopted by the following vote:

Ayes: Allen, Anderson, Anson, Armstrong, Ballard, Banka, Busch, Byrne, Carlson, Cole, Cummings, Curran, Dougherty, Esp, Fewkes, Flook, Forbregd, Goodwin, Hammond, Harken, James, Kemmis, Kirscher, LaBonte, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Morrow, O'Brien, O'Connor, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Reed, Saylor, Scofield, Scott, Stevens, Tonn, Vanek, White, Wilson, Winters, Mr. Speaker. Total 48.

Noes: Beck, Cannon, Clifford, Gunderson, Holding, Martin of Ferguson, Nelson, Parker of Cascade, Petersen, Spiegel, Toole. Total 11.

Absent and not voting: Ahern, Antrim, Aronson, Beazley, Bjerneby, Blenkner, Burke, Castles, Dahlquist, Davey, Dillavou, Eggenberger, Freshman, Friedl, Gebhardt, Green, Hageman, Harrison, Hazelbaker, Hess, Horrigan, Hunter, Laubach, Lehrkind, Lippard, McGreevey, McKenna, Mernin, Miller, Murray, Nash, Newell, Oliver, Rasmussen, Rice, Roehl, Simpson, Toomey, Tyler, Watson, Welcome, Williams, Zuck. Total 43.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 11:25 o'clock A. M., March 6, 1941: House Bills Nos. 366, 256, 354, 370, 368, 106, 183, 390, 393, 388, Substitute House Bills Nos. 46, 144, and 337.

COLE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

The Speaker of the House,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved Substitute House Bill No. 363, "An act to provide for the compulsory installation and maintenance of reflectory caution, stop signs at certain State Highway and railroad intersections by the State Highway Commission," etc.

SAM C. FORD,
Governor.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the report of the Joint Conference Committee considering Senate Amendments to Substitute House Bill No. 9, and the

President, in accordance with said report, appointed the following Senators, to act with a committee from the House for the further consideration of said Senate amendments: Simons, Liggett and Alvord.

I am directed by the Senate to inform your Honorable Body that the Senate this day rejected the report of the Joint Conference Committee on Senate Amendments to House Bill No. 394, and requested a new Conference Committee; whereupon the President named Senator Henderson, Mahoney and Baker (Lincoln) to act as such committee from the Senate, and requests the House to appoint a new committee to act with said Senate Committee for the further consideration of Senate Amendments to H. B. No. 394.

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted Joint Conference Committee reports as follows:

Report of committee considering Senate Amendments to H. B. No. 349; Report of committee considering Senate Amendments to H. B. No. 380; and Report of Committee considering House amendments to S. B. No. 183.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your conference committee, appointed to confer on Senate Amendments to House Bill No. 349, report and recommend as follows: That the House agrees to Senate Amendments.

TAYLOR,
SIMMONS,
RUFFCORN,
For the Senate.

BALLARD,
SCOFIELD,
For the House.

It was moved by Ballard, duly seconded, that the conference committee report on Senate Amendments to House Bill No. 349 be adopted.

On substitute motion, it was moved by O'Connor, duly seconded and carried, that further consideration of the conference committee report on Senate Amendments to House Bill No. 349 be indefinitely postponed.

Mr. Speaker: We, your conference committee, appointed to confer on Senate Amendments to House Bill 394, report and recommend as follows: That the Senate recede from all Senate Amendments.

HENDERSON,
FOWLIE,
TAYLOR,
For the Senate.

BLENKNER,
HAMMOND,
VANEK,
For the House.

On motion by Blenkner, duly seconded, the conference committee report on Senate Amendments to House Bill No. 394 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Antrim, Aronson, Ballard, Beazley, Blenkner, Burke, Carlson, Clifford, Cummings, Dahlquist, Dillavou, Dougherty, Eggenberger, Esp, Flook, Forbregd, Friedl, Hageman, Hammond, Har-

ken, Harrison, Hunter, Kemmis, Kirscher, LaBonte, Laubach, Lowe, Lynch, McDaniel, Martin of Madison, Morrow, Murray, Nash, Newell, O'Brien, Oliver, Parker of Wibaux, Parker of Flathead, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Stevens, Toomey, Vanek, White, Williams, Wilson, Winters, Horrigan, McMichael, Mr. Speaker. Total 60.

Noes: Beck, Bjorneby, Gunderson, Holding, Hess, McKenna, Martin of Fergus, Mernin, Nelson, Parker of Cascade, Rice, Spiegel. Total 12.

Absent and not voting: Armstrong, Banka, Busch, Byrne, Cannon, Castles, Cole, Curran, Davey, Fewkes, Freshman, Gebhardt, Goodwin, Green, Hazelbaker, James, Lehrkind, Lippard, Loughran, McGreevey, Miller, O'Connor, Petersen, Simpson, Tonn, Toole, Tyler, Watson, Welcome, Zuck. Total 30.

MOTIONS AND RESOLUTIONS

It was moved by Dougherty, duly seconded and carried, that the request of the Honorable Senate for a further conference committee on Senate Amendments to House Bill No. 394 be complied with.

Whereupon the Speaker appointed Anson, Byrne, and Ballard to act on the conference committee on Senate Amendments to House Bill No. 394.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Insurance, after having had under consideration the special report relative to the Montana State fire insurance situation, issued by the Insurance Department of the State of New York, respectfully report as follows:

WHEREAS, it appears from the special report on the examination of the United States Branch of the Pearl Assurance Company, Ltd., and its associated companies, the Monarch Fire Insurance Company of Cleveland, Ohio, and the Eureka-Security Fire and Marine Insurance Company of Cincinnati, Ohio, which said examination is now in progress by examiners representing the states of New York, Ohio, Alabama, California and Massachusetts, and from testimony taken by the Committee on Insurance of this House of Representatives of the Twenty-seventh Legislative Assembly of the State of Montana, that gross iniquities, injustices and intrigues, were practiced upon the people of the State of Montana by the Pearl Assurance Company and its officers and representatives in effecting insurance coverage upon the State Insurance Fund, established by Sections 173.2-173.20, both inclusive, Revised Codes of Montana, 1935, and the insurance coverage issued on State owned property by the said Pearl Assurance Company, Ltd. at and when the said State Insurance Fund law was repudiated by the electors of the State of Montana, in the referendum election held in November, 1936, the results of which were proclaimed by the Governor of the State of Montana as of December 2, 1936, in that the said Pearl Assurance Company, Ltd. did by intrigues and insidious wiles, procure a cancellation of the contract of insurance it had caused to be issued on the State Insurance Fund, at and when the fund was declared to be invalid by reason of the referendum held thereon, on a short rate basis, rather than a pro rata basis, when the said Pearl Assurance Company, Ltd. and its officers and representatives did then and there well know that the equitable and established rule of sound insurance practice was that where a coverage on a risk was cancelled and rewritten by the same company on approximately the same risk, cancellation should be on a pro rata basis rather than a short rate basis, all to the loss of the people of the State of Montana in an amount of \$39,809.42, and

THAT, the said Pearl Assurance Company, Ltd, by and through its officers and representatives, did through connivances and insidious wiles, when it procured a new contract of insurance on state owned risks, after

its contract covering the State Insurance Fund had been cancelled on a short rate basis rather than a pro rata basis, cause the said new contract of insurance to be written at a rate of 78c per \$100, when it then and there well knew that a sound and well established rate on the same risks was 62c per \$100, all to the loss of the people of the State of Montana in a total amount of approximately \$14,400.

THAT, the said Pearl Assurance Company, Ltd. by and through its officers and representatives, did further practice gross iniquities, injustices and intrigues upon the people of the State of Montana by effecting a six months, seven day premature cancellation of the contract of insurance it caused to be issued on State owned risks as of December 2, 1936, on the 25th day of May, 1939, and reissue a new contract of insurance covering the same risk, as of the date of cancellation of the then existing policy, at a rate of 75c per \$100, when it then and there knew that the established rate on the said risks was 62c per \$100, all to the loss of the people of the State of Montana, in an amount of approximately \$15,600.

NOW, THEREFORE, be it resolved by this House of Representatives of the Twenty-seventh Legislative Assembly of the State of Montana,

That, the State Auditor and Ex-officio Commissioner of Insurance, in and for the State of Montana, be and is hereby instructed to refuse to again license the Pearl Assurance Company, Ltd. or its subsidiaries, the Monarch Fire Insurance Company of Cleveland, Ohio, and the Eureka-Security Fire and Marine Insurance Company of Cincinnati, Ohio, to do further business in the State of Montana; and that the said State Auditor and Ex-officio Commissioner of Insurance, be and is hereby instructed to forever refuse to license any officer and representative of the Pearl Assurance Company, Ltd. or its above named affiliated companies, who were in any manner or means connected with any of the transactions hereinabove mentioned or who aided and abetted the consummation of the disgraceful practices herein referred to.

That, the State Board of Examiners and its Chief Clerk who were parties to the contracts of insurance entered into by the Pearl Assurance Company wholly failed to protect and preserve the rights of the people of the State of Montana at and when the contracts of insurance herein referred to were entered into;

That, had the State Board of Examiners and its Chief Clerk been faithful in the performance of its and his duty, the said contracts of the company herein mentioned would never have been consummated in the manner and form in which they were consummated and that the sums of money herein referred to would not have been lost to the people of the State of Montana;

That, the greatest of censure should be made of the State Board of Examiners, its members, its and their failure to protect the people of the State of Montana in the matter herein contained, and to prevent and allow intrigue, unjust and inequitable practices to be perpetrated upon the people of the State of Montana;

That, the said State Auditor and Ex-officio Commissioner of Insurance is to be commended for his actions in this matter;

That, the Attorney General be instructed to review the facts and findings contained in the special report of examination relative to the Montana State Fire insurance situation, the files of the Committee on Insurance of this House of Representatives, as the same relate to the matters herein contained and take such action as in his opinion will recoupe to the people of the State of Montana the sum or sums of money herein referred to, and establish justice to the people of the State of Montana; and if, upon his investigation and study of the matters herein contained, he should find that any state officer or member of any State Board or Commission, has been guilty of a breach of faithful performance of his duty, to bring such action

on the offenders' official bonds, as in his opinion is meet and proper in the premises.

RICE, Chairman.

Report adopted.

It was moved by Oliver, duly seconded and carried, that the foregoing report of the Committee on Insurance be mimeographed and copies placed on the desks of each member of the House and Senate.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your Joint Conference Committee appointed to consider Senate Amendments to Substitute House Bill No. 9, respectfully report as follows:

That your said Committee is unable to reach an agreement on the Senate Amendments to the Bill, and therefor request that the committee be discharged.

SIMMONS,
LIGGETT,
ALVORD,
For the Senate.

TOOLE,
LYNCH,
ARMSTRONG,
For the House.

On motion by Toole, duly seconded and carried, the conference committee report on Senate Amendments to Substitute House Bill No. 9 was adopted.

Mr. Speaker:

We, your Joint Conference Committee to confer upon the Senate amendments to House Bill No. 389, respectfully report as follows:

That all of the amendments placed upon House Bill No. 389 by the Finance and Claims Committee of the Senate be stricken and also that there be stricken in Section 1 in line 10 on page 1 of the printed bill, the words and figures "Two Hundred Twenty-Five Thousand Dollars....\$225,000.00" and that there be inserted in lieu thereof the words and figures "One Hundred Twenty-Five Thousand Dollars....\$125,000.00";

That there be stricken from Section 2 in line 10 on page 2 of the printed bill, the words and figures "Two Hundred Twenty-Five Thousand Dollars \$225,000.00" and that there be inserted in lieu thereof the words and figures "One Hundred Twenty-Five Thousand Dollars....\$125,000.00"; and that as so amended, House Bill No. 389 be concurred in.

NUTT,
MANNING,
KEELEY,
For the Senate.

AHERN,
KIRSCHER,
ANTRIM,
For the House.

On motion by Ahern, duly seconded, the conference committee report on Senate Amendments to House Bill No. 389 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Aronson, Ballard, Beck, Blenkner, Burke, Busch, Carlson, Castles, Cummings, Dillavou, Dougherty, Eggenberger, Fewkes, Flook, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Harken, Horrigan, Hunter, James, Kirscher,

Lehrkind, Lowe, Lynch, McDaniel, Martin of Madison, Morrow, Nelson, O'Connor, Parker of Wibaux, Potter, Rasmussen, Reed, Roehl, Scott, Simpson, Stevens, Tyler, White, Williams, Wilson, Winters. Total 52.

Noes: Beazley, Cannon, Curran, Davey, Forbregd, Gunderson, Holding, Hess, McGreevey, McKenna, Martin of Fergus, Mernin, Murray, Nash, Newell, O'Brien, Parker of Cascade, Phelan, Saylor, Spiegel, Tonn, Vanek, Mr. Speaker. Total 23.

Absent and not voting: Banka, Bjerneby, Byrne, Clifford, Cole, Dahlquist, Esp, Freshman, Harrison, Hazelbaker, Kemmis, LaBonte, Laubach, Lippard, Loughran, McMichael, Miller, Oliver, Parker of Flathead, Petersen, Rice, Scofield, Toole, Toomey, Watson, Welcome, Zuck. Total 27.

It was moved by Gebhardt, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, rejected the report of the Joint Conference Committee on Senate amendments to H. B. No. 389, and requests the House to appoint a committee of three to act with a like committee from the Senate, for the consideration of said amendments. The President named the following Senators to the Senate committee: Keeley, D'Ewart, Woods (Judith Basin).

I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee considering Senate Amendments to Sub. H. B. No. 9 was this day adopted by the Senate and, on motion, the President named the following Senators to a new conference committee to consider said amendments, and requests the House to appoint a like committee: Cotter, Baker (Dawson), McQuitty.

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Ahern, duly seconded and carried, that the request of the Honorable Senate for a further conference committee on Senate Amendments to House Bill No. 389 be complied with.

Whereupon the Speaker appointed Ahern, Toomey and Kirscher to act on the conference committee on Senate Amendments to House Bill No. 389.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your Conference Committee, appointed to confer on Senate Amendments to House Bill 394, report and recommend as follows:

That all Senate Amendments to House Bill 394 be stricken. And that it be amended in line 8, page 3 of the original bill by striking out the following "with the State Fire Marshal" and inserting in lieu thereof the words "and are".

And that Section 4, page 3 of the original bill be amended by striking out in line 13 the words "the State Board of Examiners" and inserting in lieu thereof the words "the State Insurance Commission".

And that Section 4, lines 14 and 15 of the original bill be amended by striking out the following "based upon the findings of the State Fire Marshal."

And that Section 5, page 3 of the original bill be amended in line 19 by striking out the words "the State Board of Examiners" and inserting in lieu thereof the words "the State Insurance Commission".

And as so amended, the House agrees to all amendments.

HENDERSON,
BAKER,
MAHONEY,
For the Senate.

ANSON,
BALLARD,
BYRNE,
For the House.

On motion by Anson, duly seconded, the conference committee report on Senate Amendments to House Bill No. 394 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Armstrong, Ballard, Banka, Beazley, Blenkner, Burke, Busch, Byrne, Cannon, Carlson, Castles, Clifford, Cole, Cummings, Curran, Dillavou, Dougherty, Eggenberger, Esp, Fewkes, Flook, Forbregd, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Harken, Harrison, Hazelbaker, Hunter, James, Kemmis, Kirscher, LaBonte, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McDaniel, McMichael, Martin of Madison, Morrow, Newell, O'Brien, O'Connor, Oliver, Parker of Wibaux, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Tonn, Toole, Toomey, Tyler, Vanek, White, Williams, Wilson, Winters, Zuck, Mr. Speaker. Total 75.

Noes: Beck, Bjorneby, Dahlquist, Gunderson, Holding, Hess, McGreevey, McKenna, Martin of Fergus Mernin, Nelson, Parker of Cascade, Petersen, Spiegel, Stevens. Total 15.

Absent and not voting: Antrim, Aronson, Davey, Goodwin, Horrigan, Miller, Murray, Nash, Parker of Flathead, Rice, Watson, Welcome. Total 12.

Mr. Speaker:

We, your Joint Conference Committee to confer upon the Senate amendments to House Bill No. 389, respectfully report as follows: That all of the amendments placed upon House Bill No. 389 by the Finance and Claims Committee of the Senate be stricken and also that there be stricken in Section 1 in line 10 on page 1 of the printed bill, the words and figures "Two Hundred Twenty-Five Thousand Dollars...\$225,000.00" and that there be inserted in lieu thereof the words and figures "One Hundred Twenty-five Thousand Dollars...\$125,000.00";

That there be stricken from Section 2 in line 10 on page 2 of the printed bill, the words and figures "Two Hundred Twenty-Five Thousand Dollars \$225,000.00" and that there be inserted in lieu thereof the words and figures "One Hundred Twenty-Five Thousand Dollars...\$125,000.00";

And that as so amended, House Bill No. 389 be concurred in.

KEELEY,
D'EWART,
WOODS (Judith Basin),
For the Senate.

AHERN,
TOOMEY,
KIRSCHER,
For the House.

On motion by Ahern, duly seconded, the conference committee report on Senate Amendments to House Bill No. 389 was adopted by the following vote:

Ayes: Ahern, Allen, Anderson, Anson, Antrim, Armstrong, Ballard, Banka, Beazley, Beck, Bjerneby, Blenkner, Busch, Castles, Cole, Cummings, Curran, Dillavou, Dougherty, Esp, Fewkes, Forbregd, Freshman, Friedl, Gebhardt, Green, Hammond, Harken, Harrison, Holding, Hunter, James, Kirscher, LaBonte, Laubach, Lehrkind, Loughran, Lynch, McDaniel, McMichael, Martin of Madison, Morrow, Nash, Nelson, Newell, O'Brien, O'Connor, Parker of Wibaux, Petersen, Phelan, Potter, Rasmussen, Reed, Roehl, Saylor, Scofield, Scott, Simpson, Stevens, Toole, Toomey, Tyler, White, Williams, Wilson, Winters. Total 66.

Noes: Cannon, Clifford, Dahlquist, Goodwin, Gunderson, Hageman, Hess, Kemmis, Lowe, McGreevey, McKenna, Martin of Fergus, Mernin, Parker of Cascade, Spiegel, Tonn, Mr. Speaker. Total 17.

Absent and not voting: Aronson, Burke, Byrne, Carlson, Davey, Eggenberger, Flook, Hazelbaker, Horrigan, Lippard, Miller, Murray, Oliver, Parker of Flathead, Rice, Vanek, Watson, Welcome, Zuck. Total 19.

House recessed, subject to the Call of the Chair.

House resumed. Speaker Pro Tem in the Chair.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committees considering Senate Amendments to H. B. Nos. 389 and 394.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 40, 174, 394, 389, 380.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 174 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 380 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 389 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 394 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 40 introduced by me and find the same to be correct.

ANTRIM.

The Speaker Pro Tem signed the following in Open Session: House Bills Nos. 40, 174, 394, 389 and 380, and Senate Bill No. 183.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Employment, recommend that the services of the following attaches of the House be retained for the number of days specified:

Hilda Richeson, Journal Clerk	15 days
Margaret McGuinn, Secretary to Sergeant	15 days
E. N. Joffray, Sergeant-at-Arms	15 days
Tobias Vegge, Bill Clerk	15 days
Herman Strats, Ass't Bill Clerk	15 days
James P. Brennan, Chief Clerk	15 days
Ray Campbell, Ass't. Chief Clerk	15 days
Marguerite Wing, Clerk to Chief Clerk	15 days
Ruth Nelson, Stenographer	15 days
Mary Alice Coulson, Stenographer	15 days
Maryetta Rosanau, Stenographer	15 days
Mary Harris, Stenographer	10 days
Adele Mattila, Stenographer	10 days
Ruth Clifford, Stenographer	10 days
Jack McEacheron, Proofreader	10 days
Charles Pichette, Proofreader	10 days
James Obert, Proofreader	10 days
William Neary, Ass't. Sergeant	8 days
George Davis, Pay Roll Clerk	15 days
James McGovern, Clerk	10 days
Earnest Burns, Ass't. Sergeant	5 days
Bert Carroll, Janitor	5 days
Clark Nockelby, Janitor	12 days
George Wedgewood, Janitor	4 days
Jack Lowney, Janitor	4 days
Loren O'Connor, Clerk	15 days
Elnora Jung, Stenographer	7 days
Martha Manley, Stenographer	1 day
Gene Mahoney, Clerk	1 day
Harry Culbertson, Janitor	3 days
Mary Wilford, Telephone Operator	5 days
Lillian Albert, Stenographer	10 days
William Pilgrim, Clerk	15 days
Frank Devine, Clerk	3 days

LIPPARD, Chairman.

Report adopted.

It was moved by Beazley, duly seconded, and carried, that the report of the investigating committee on W.P.A. be mimeographed and mailed to each member of the House and Senate.

Mr. Speaker in the Chair.

Senators Keeley, Nutt and Hammond, committee from the Honorable Senate appeared and the Chairman informed the House of Representatives that the Senate had finished its business and was ready to adjourn sine die.

It was moved by Byrne, duly seconded and carried, that a Committee of five members of the House be appointed by the Speaker to notify his Excellency, the Governor, that the House of Representatives of the Twenty-seventh Legislative Assembly of the State of Montana, having completed its work, is about to adjourn, sine die.

The Speaker appointed O'Connor, Gebhardt, Armstrong, Anson and Williams to notify his Excellency, the Governor.

It was moved by Byrne, duly seconded and carried, that a committee of five members of the House be appointed by the Speaker to notify the Honorable Senate that the House of Representatives of the Twenty-seventh Legislative Assembly of the State of Montana, having completed its work, is about to adjourn sine die.

The Speaker appointed Byrne, Stevens, Cannon, Cole and Vanek to notify the Honorable Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Enrolling, beg leave to report the following bills delivered to the Governor's office at 6:45 P. M.: House Bills Nos. 40, 394, 389, 174 and 380.

COLE, Chairman.

Report adopted.

REPORTS OF SELECT COMMITTEES

The Committee from the House appointed to notify the Governor, reported that it had completed its duties, and that the Governor wished to thank the House and the Speaker for their splendid cooperation between the House and Senate and bid each member God-speed; whereupon the Speaker discharged said committee.

The committee from the House appointed to notify the Senate that the House was ready to adjourn sine die, reported that they had delivered the message to the Honorable Senate and the Senate very much appreciated the cooperation of the House in its labors and conveys best wishes to all members of the House for the coming year; whereupon the Speaker discharged said committee.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the business of the Senate having been completed, the President, on motion, appointed two committees to notify the Governor and the House that the Senate was ready to adjourn sine die, as follows:

To notify the Governor: Simmons, Mahoney and Plank;

To notify the House: Keeley, Nutt and Hammond.

Senator Simmons, chairman of the committee to wait upon the Governor, reported that they had informed His Excellency the Governor that the Senate had completed its business and was ready to adjourn sine die; likewise, Senator Keeley, chairman of the committee to wait upon the House, reported that they had performed their duty, and the committees were discharged.

Whereupon, the Senate of the Twenty-seventh Legislative Assembly of

the State of Montana adjourned sine die at 7:45 P. M. on the sixtieth Legislative Day, March 6, 1941.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Journal, having examined the Journal for the Sixtieth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

At 8:05 o'clock P. M., it was moved by Byrne, duly seconded and carried, that the House of Representatives of the Twenty-seventh Legislative Assembly of the State of Montana do now stand adjourned sine die.

E. J. STROMNES,
Speaker.

J. P. BRENNAN, Chief Clerk.



